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Rep. John Conyers (left to right), Aaron Freeman, Dr. Quentin Young, John Rossen and Rabbi Robert Marx.

Syd Harris

## All that's left of patriotism

By Salim Muwakkil

CHICAGO

By manipulating the symbols of U.S. patriotism, the Reagan administration has deflected criticism of domestic policies that are flagrantly inequitable and foreign policies that are, at best, illegal. Despite the growth of poverty in this country, the widening gulf between the rich and the poor and the economic stagnation that has whittled the living standards of most working people, the Reaganites' "happy days" rhetoric and fevered flag-waving have muted the sounds of suffering.

Thus, for example, few voices of outrage were heard when millions of dollars went up in fireworks at the gaudy celebration for the Statue of Liberty, even though the city that hosted the affair remains deeply blemished by poverty and homelessness. Similarly, the news from the World Court that the Reaganites are violating international law by waging a surrogate war in Nicaragua (and doing the same thing in Angola) caused no national outcry in this "nation of laws." When German authorities arrested a freelancing Jordanian for the bombing of the Berlin disco, where was the "irrefutable evidence" that implicated Libya? And why didn't someone ask? Perhaps no one asked because they were too busy chanting patriotic slogans and invoking "national interest."

The left's reaction to all of this, by and large, has been to come out swinging against the jingoism and hypocrisy that characterizes this kind of PR patriotism. But a clear majority of this country's citizens appear to be ignoring what the left has to say; the PR is working. Our president is as popular as ever and there is a sinking suspicion among those on the left that the Reagan era may even outlive the Reagan presidency.

### Inherently reactionary?

The despair inspired by this prospect has sparked many efforts to revitalize the left. Conferences are convening everywhere, old strategies are being reevaluated and new ones are being discussed. One strategy that seems to be gaining momentum is the attempt to snatch patriotism from the right wing's smarmy grip.

"Is patriotism merely a primitive and inherently reactionary instinct that ought to be resisted and ultimately destroyed," asks *Progressive* associate editor John Buell in the July edition of that magazine, "or does it express, in however muted or distorted form, commitments that must help underpin any just society?" That question is a suitable summary of the argument and is generally the main bone of contention when the left comes together to discuss the issue.

On July 5 and 6 about 200 leaders of the political and religious left came together at a conference in Chicago to close the issue once and for all: "We're here to reclaim the heritage of the American Revolution for the American left," said John Rossen, founder of the New Patriot Alliance and conference organizer. Rossen is a long-time advocate of such a strategy, but he said there is a new receptivity to his message these days: "The emergence and success of the far right in appropriating the images and icons of patriotism has forced more people to come to grips with this issue."

The gathering was dubbed the founding convention of The Patriotic Majority, a group that includes six U.S. Congress members, authors Studs Terkel, Noam Chomsky and John Henry Faulk, Operation PUSH's Rev. George Riddick, *In These Times* editor James Weinstein, Sister Mary O'Connor of the National Coalition of American Nuns, Margaret Burroughs, founder of Chicago's DuSable Museum, United Steel Workers of America activist Edward Sadlowski, United Mine Workers President Richard Trumka and Dr. Quentin Young of Physicians for Social Responsibility, who served as acting chairman of the group, as well as several other leaders of the left-liberal community.

### The taint of nationalism

"A motley band of bigots, who propagate public policy spawned in the worship of the marketplace, have skillfully promoted ideas repugnant to our national consensus—ideas that divide and weaken our nation," Young said in explaining the reasons for forming The Patriotic Majority. By eroding the freedoms enshrined in the Constitution and the Bill of Rights, Young said, the right wing is fomenting a new divisiveness in this country. And they are doing this "under the cloak of flag-waving, self-righteous, holier-and-more-loyal-than-thou rhetoric."

But is the Reaganites' success with exploiting patriotic themes worthy of imitation? Does the appeal of these themes indicate that they have some psychic resonance that the left ignores at its

own peril, or are they merely primitive emotional responses utilized by demagogues to divert the public from real issues ("the last refuge of a scoundrel," said Samuel Johnson).

The reasons most left theorists reject ritualized expressions of national pride are the following:

- Patriotism is simply nationalism with a more benign label. ("Trying to extricate the virtues of patriotism from the vise of nationalism is like trying to pluck the quills from a porcupine," noted *Progressive* managing editor Matthew Rothschild in an exchange with Buell in the magazine's July 1986 issue. "It can't be done. Or if it can, you won't be left with a porcupine.");

- Enthusiastic patriotism rationalizes or ignores great historical atrocities (e.g., slavery, the slaughter of Native Americans, etc.) and obstructs efforts to atone for them;

- Appeals to patriotism carry a dangerous emotional currency that can easily lead to excesses; and

- In attempting to beat the Moral Majority at its own flag-waving game, the left confers a legitimacy on lifeless icons that are essentially illegitimate.

"Like the defenders of family, church and community," wrote Rothschild, "the champions of the modern nation state want us to believe that inanimate objects—mere social sandboxes—deserve to command our respect, love and loyalty. This is reification of the highest order."

## THE STORY INSIDERY

But sophisticated critics of this view contend that by disregarding concepts like family, church and community, the left in this country has alienated itself from its working-class targets. They argue that while working-class culture is heavily rooted in tradition and non-rational collective symbols, the left is heir to the secular rationality and individuated consciousness of the Enlightenment. The left thus tends to view the folkways and sensibilities of working-class culture through a veil of cultural arrogance and is generally contemptuous of the working-class devotion to traditional symbols. That contempt is mutual.

The left in Latin America, on the other hand, has studied and learned to respect the traditions of the region's people. The success of Liberation Theology, which uses the collective symbols of a widely-shared Catholicism and incorporates the folk wisdom of various traditional cultures, is a testament to the power of a people animated by ideals that grow naturally out of their everyday experiences.

### Schizophrenic left

"There are many so-called progressives who believe patriotism, or revolutionary nationalism, is okay for the Third World but not all right for people here," Rossen noted, in a speech at the conference's opening ceremony. "I'd have to say that these people are somewhat schizophrenic."

During most of the conference sessions the need to distinguish patriotism from jingoism was repeatedly emphasized. Although many of the political organizers participating in the conference had decided to sound the call for increased expressions of patriotism on the left, it was clear they were not quite comfortable with the idea. "I still feel a bit uncomfortable waving the flag," said Jeff Smith, a member of the Illinois State Central Committee. "But if we can get this organization off the ground, perhaps I'll soon lose that feeling."

In a keynote speech at the conference's conclusion, Rep. John Conyers (D-MI) said there was no need to fear traditional values. "The revolutionary imperative is deeply rooted in the history of mankind; the struggle of the many against the powerful is of particular importance to those of American heritage. Patriotism means leadership: leadership to take the country into the next phase of development.... Patriotism is not status quo, it never has been."

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## IN THESE TIMES

By John B. Judis

WASHINGTON

IN THE '70S, ONE USED TO SAY THAT THE issue was not *whether* the government should intervene in the marketplace, but *how* it should. Then when Ronald Reagan declared in his first Inaugural address that government was not "the solution, but the problem," the debate appeared to have shifted ground. It was no longer left-wing Keynes versus right-wing Keynes, but Adam Smith versus Keynes, and Smith appeared to have gained the upper hand.

Appearances can mislead, however. Reagan's tax and budget plans, shorn of their rhetoric, were simply Republican—more to the rich and less to the poor—versions of the Democrats' neo-Keynesian deficit financing. And now in the current debate over trade policy, the Reagan administration is posing its form of government economic intervention against that of the Democrats.

The debate, couched in bureaucratic jargon, is of great moment to the country's future. America's trade deficit, which was a record \$150 billion last year, represents not only a waning ability to compete in foreign markets, but also a loss of jobs and a decline in Americans' standard of living. It is rooted in the decay of manufacturing, which used to be the bulwark of the nation's economy and trade surplus.

During its first term the Reagan administration assiduously ignored the trade deficit, even though—or perhaps because—it revealed the underlying weakness of its economic policy. But in the summer of 1985, spurred by the threats of a Democratic import surcharge—proposed by Texas Sen. Lloyd Bentsen and Missouri Rep. Richard Gephardt—the administration began to take action.

**Baker's recipe**

New Treasury Secretary James Baker took the initiative in trying to drive down the dollar, whose value relative to other currencies was pricing American goods out of foreign and domestic markets. Example: if there are 260 yen to the dollar, as there were in February 1985, then a two million yen Toyota will sell for \$7,700 in San Francisco. But if there are only 160 yen to the dollar, as is the case now, then—barring a willingness on the part of Toyota to narrow its profit margins—the same Toyota will sell for \$12,500.

Baker's presumption, shared by both liberal and conservative economists, was that Japan's and West Germany's currencies were both undervalued relative to the dollar. This was the result of conscious intervention by those countries and of high American interest rates that were drawing foreign currencies into the U.S. in spite of the American trade deficit. They believed the way to attack the trade deficit was to force down the value of the dollar relative to the yen and the deutsche mark.

To that end, Baker brought together the finance ministers of the five leading capitalist nations—the U.S., Japan, France, West Germany and Great Britain—at New York's Plaza Hotel last September. The ministers agreed to speed the dollar's devaluation both through "jawboning" and through currency intervention. Since then, aided by the reduction in interest rates, the dollar has declined 31 percent against the yen and 22 percent against the deutsche mark. At the Tokyo Economic Summit in May, Reagan presented Baker's proposal for regular policy coordination and consultation by the Group of Five—a proposal that would, in effect, introduce government intervention on a world-wide scale.

But Baker's assault against the overvalued dollar has not arrested the declining American trade balance. It is now expected to hit a record \$170 billion this year. According to the Commerce Department's analysis of June's trade figures, any decreases in the

LET ME EXPLAIN WHY  
AMERICA IS NOT REALLY  
A DEBTOR NATION



ALL THE "DEBTOR NATION"  
TALK IS BASED ON THE  
HUGE TRADE DEFICIT



BUT THAT DEFICIT DOESN'T  
COUNT ALL THE FOREIGN  
INVESTMENT COMING INTO  
AMERICA



FOREIGNERS ARE BUYING  
UP AMERICAN FACTORIES,  
FARMS AND REAL ESTATE...



AND IF THEY CONTINUE  
AT THE CURRENT RATE...



PRETTY SOON THE DEBT  
WILL BELONG TO THEM!



WASSERMAN FOR THE BOSTON GLOBE 8/5 L.A. TIMES SYND.

## A deficit of ideas plagues trade policy

deficit were "largely due to reduced petroleum imports."

The decline in the dollar's value relative to the yen has caused a slight reduction in Japan's trade surplus with the U.S. From May to June of this year, it declined from \$4.06 billion to \$3.85 billion. But the latter figure is still the third largest monthly surplus on record. Moreover, the dollar's devaluation has not affected economic competition from other South Asian countries, whose currencies are pegged to the dollar. "We are not seeing much relief in fibers and textiles," one DuPont vice president told the *Washington Post* recently.

Many economists believe the dollar would have to drop even further to reduce the trade deficit. Former Treasury Department official Fred Bergsten says, "The dollar must fall by another 10 percent just to move the overall trade deficit below \$100 billion." With the Japanese continuing to invest in dollars, however, a further reduction of this magnitude is unlikely.

The continuing trade deficit prompted House Democrats to push through a trade bill on May 23. The bill, which passed 295-115 with the support of 59 Republicans and all but four Democrats, represents a more concerted attempt to eliminate the trade deficit.

The House bill assumes that dollar devaluation alone will not eliminate America's trade deficit. Its extensive provisions are based on the assumption that the trade deficit is being caused by foreign malfeasance, whether in the form of erecting intangible barriers against American imports or unfairly dumping underpriced foreign goods in American markets.

**"Kamikaze legislation"**

The bill would require the president to open negotiations with any country that has "excessive trade surpluses" with the U.S.—a provision aimed at Japan, Taiwan and West Germany. If the countries do not begin reducing their surpluses by 10 percent a year, then the administration would automatically institute import quotas or tariffs. The

bill also broadens the definition of "unfair trade practices"—those practices that could be met by trade retaliation—to include government assistance to exporting industries as well as "internationally recognized" workers' rights. It also reduces the amount of leeway that the president had enjoyed in responding to these trade infractions.

Reagan has threatened to veto the bill, which he called "Kamikaze legislation," a term whose meaning was not lost on the Japanese. Yet there is no doubt that the House was responding to real flaws in the administration's trade policy.

While reducing its post-war tariffs, Japan has tried to keep out American goods through informal distribution agreements and similar measures. A recent study in New York Federal Reserve Bank's *Quarterly Review* concludes that, in spite of recent concessions, Japan's intangible trade barriers "have remained significant. Such barriers—product standards, the distribution system and government procurement—have included elements of discrimination against imports as well as systemic impediments to all newcomers, domestic and foreign."

As well as restricting imports, Japan and other Asian countries have also dumped goods in American markets—selling them below cost in order to eliminate competitors and carve out a permanent market share. This year both the International Trade Commission and the Commerce Department ruled in favor of a suit by U.S. semiconductor firms charging that their Japanese competitors were selling computer chips below cost. In June 1985 retiring Undersecretary of Commerce Lionel Ulmer released a pirated copy of a memorandum that Hitachi had sent its chip salesmen advising them to "quote 10 percent below competition. If they re-quote, bid 10 percent again. The bidding stops when Hitachi wins."

In addition to its response to Japan's trade practices, the House bill has other merits. It reinstates funds, which the Reagan administration had cut, for trade adjustment assistance to workers who lose their jobs

because of import competition. And it also reduces the onerous but futile restrictions on high-tech exports that the administration had instituted in order to prevent advanced electronic equipment from finding its way from Bonn to Moscow.

But the House bill, like the administration's approach to trade, suffers from a certain superficiality. According to the New York Federal Reserve, the removal of all of Japan's intangible trade barriers—an unlikely likelihood in itself because of cultural constraints—would only raise imports "by 7 percent in the long run."

And some specialists are skeptical about America's ability to compete with Japan, even with the tariffs removed. University of South Carolina political scientist Robert Angel, an expert in U.S.-Japanese trade relations, says, "Even if the Japanese were to remove the trade barriers, we're in no position to exploit them."

**The hollow corporation**

The American balance of trade, once the clearest sign of American economic superiority, has been declining since the early '60s, and it has been periodically in deficit since 1971. Events such as the oil price hikes of the '70s and the recent rise in the dollar's value have temporarily caused the balance to worsen, but the persistent, long-term cause has been the decline of American manufacturing. Over the last two decades, American agricultural exports have regularly exceeded imports, while manufacturing exports have steadily lost ground. In 1962, for instance, the U.S. ran a \$298 million surplus in technology-intensive manufactured goods with Japan; by 1971, it was running a \$2.3 billion deficit in 1971 dollars.

The trade deficit in manufactured goods takes two forms: first, finished products like cameras that American companies no longer produce or market; second, parts and finished products that are made overseas but imported by American companies. These imports are either included as components in American firms' products—*Business Week* once discovered that about 75 percent of an IBM personal computer was produced overseas—or simply marketed as finished goods in the American firm's name, like the Dodge Colt, which is produced by Mitsubishi. According to *Business Week*, goods and components sold by Japanese firms to American firms and then

*Continued on page 8*



# IN SHORT

Rachel Sternberg

## Ivy women fight back

Bunnies or no bunnies, *Playboy* is planning this fall's annual "Women of the Ivy League" issue. Not without creating the usual stir, but this time a group of incensed women at Yale have hit on a new form of protest. "It occurred to us that *Playboy* propounds its vision of womanhood by putting out a magazine," said Renee Schwalberg, coordinator of the Yale Women's Center. "If we want to promote ours, we should do the same." The new *Women of the Ivy League* magazine will publish art, photography and writing by women to reflect women's experiences as subjects, not objects. It will be created and distributed throughout an eight Ivy League schools.

## Donations to Duarte

With a House vote on \$514 million in aid to El Salvador expected in late July, the Committee in Solidarity with the People of El Salvador (CISPES) is working hard to put and cap that sum. CISPES says its national grassroots emergency campaign has brought more than 8,000 open-air demonstrations and nearly 5,000 phone calls into the nation's capital. But has failed so far to deliver firm commitments from targeted donors on the House Foreign Operations Subcommittee.

## Desert witness

One year to the day after the U.S.S.R. declared its unilateral moratorium on nuclear testing, peace protesters plan to converge on the Nevada Test Site to register their support for a U.S. test ban. A Las Vegas-based religious group called the Nevada Desert Experience has lined up 100 anti-nuclear types like Larry Scott and Earle Reynolds to speak at its August Desert Witness II Protest on August 4-6. Scott organized a very early demonstration at the test site back in 1957 and Reynolds deliberately sailed near the Bikini Islands in 1958 to protest detonations there. August 6, of course, marks the 41st anniversary of the atomic bombing of Hiroshima. In the past year, hundreds of people have traveled to the Nevada Test Site, and the Department of Energy says at least 200 have been arrested there for acts of nonviolent civil disobedience.

## Traveling town

The Great Peace March hit the mid-point in its 3,255-mile trek from Los Angeles to Washington, D.C. already faster than many observers expected the marchers to go. After PRO-Peace went belly up early this year, 650 remaining marchers scaled down the extravagant effort and kept it going. They now need a mere \$3,000 a day to move—with minimal overhead and with advance teams of marchers doing much of the work for free. The traveling town left Los Angeles on March 1 and is scheduled to reach Washington, D.C., on November 15.

## Big Mountain

Talk of military force at Big Mountain has tapered to talk of intimidation. The U.S. government still has hundreds more Navajo families to relocate under the terms of Public Law 93-351, which purportedly settled a Navajo-Hopi land dispute but seems tied into mineral rights. (See *In These Times*, Jan. 29 and June 25.) The July 7 deadline for relocation has now passed. It was marked by nothing more dramatic than a protest by elders, who ripped out part of the barbed-wire boundary fence. News of the relocation nonetheless seems to have traveled far. In June, the European Parliament added it to a list of human rights concerns. Meanwhile, Sen. Alan Cranston (D-CA) introduced a bill that would halt the relocation for 18 months and establish a presidential commission to study problems involved in carrying out the law.

## Breaking away

Displeased with what the traditional Democrats have to offer, black independents in Illinois are thinking of forming their own statewide slate for November. According to the *Chicago Reporter*, downstate civil rights leader Rev. Charles Koen plans to make a bid for governor and announce his full slate and party platform soon. The new party would have until August 22 to muster signatures of 25,000 registered voters. Koen's candidacy, if it happens, could further dim Adlai Stevenson III's prospects of beating three-term incumbent Republican Gov. James R. Thompson. The lights first went out on Stevenson in the Democratic primary vote, which put two right-wing LaRouchites on the regular party ticket and forced him to run independently.

## Database dazzle

We all have secrets to share—documents, data—and some people working for social change want to harness high tech (see back page). Peter von Stackelberg, a writer in Alberta, Canada, hopes to create a Social Action Database using optical disk technology that could cram the contents of a 75-foot stack of paper onto a disk 3.5 inches across. Such disks could be distributed fairly cheaply to groups concerned with peace, civil rights, the environment and the like, and von Stackelberg expects prices for readers to drop from \$25,000 to \$1,000 within the next five years. (To start up the database he needs cohorts and cash—call [403] 484-5426 for information.)

# Salvadoran dialog may be headed nowhere

**SAN SALVADOR**—A month and a half ago, El Salvador's President Jose Napoleon Duarte promised to hold peace talks with leftist rebels in late July or August (see *In These Times*, June 25). Now, however, the talks are stalled and it is unclear whether they will take place at all.

Duarte needed peace talks to assure votes in Washington for U.S. aid and to rebuild his popularity, damaged by economic austerity measures and general war-weariness. The opposition FDR-FLMN, which had consistently pushed to renew the talks that Duarte broke off after two rounds in 1984, accepted his offer in early June and proposed that the talks be held in San Salvador. Subsequently the rebels suggested July 30 as a possible date.

That last proposal met with silence from the government, which meanwhile declined to name a date of its own. But perhaps an even greater roadblock to peace talks has been thrown up by a seemingly unlikely source—the Catholic Church. Archbishop Arturo Rivera y Damas, mediator of the talks and viewed by the

rebels as a government sympathizer, has announced that the church wants preliminary, private talks to precede a third round of public talks.

This has always been the government's position, and one consistently opposed by the rebels. Perhaps Rivera believes private talks are necessary to ensure concrete results from the public talks. But in the eyes of many, Rivera's position has merely proved his basic support for the Duarte government and further strained relations with the rebels.

Rivera's departure for a three-week trip to South America to accompany the Pope also hurt the already faltering dialogue. He was to return on July 27, just three days before the date the rebels had suggested for the talks, effectively ruling it out as a possibility. In Rivera's absence, the task of mediation falls to Auxiliary Bishop Gregorio Rosa Chavez, whom the rebels trust even less.

Despite government and mediator indifference to their overtures, the rebels presented a slightly modified version of their peace plan on July 1. The

basic points remained the same—providing for the formation of a broad coalition government that would lead to new elections. But the tone was softer, so that even Rosa Chavez described it as being more "open" and "moderate" than other rebel positions.

The most significant new element was the rebels' promise of a cease fire should they be included in a new government. Leaving for later the sticky issue of merging both military forces, the rebels said only that each side would keep its army. The next day, however, Duarte rejected that proposal and issued his standard call for the rebels to lay down their arms and join the "democratic" process.

With the long-delayed third round of peace talks heading toward trouble, the archbishop has announced that he will return to El Salvador one week early. That move might not be enough, however, to break the stalemate. "I see it slipping," said one European diplomat. "I wonder if it really will come off. The prospects don't look good."

—Chris Norton



# Capitalism distracts specialists in Zimbabwe

**HARARE, ZIMBABWE**—Leaders of Zimbabwe's ruling party have been told to stop seeking wealth while claiming to move their country along the road to socialism.

By African standards—or by those of, say, the Reagan administration—officials of the Zimbabwe African National Union-Patriotic Front (ZANU-PF) remain novices at using high-level posts to enrich themselves. Yet the contrast between the socialist rhetoric and the growing wealth of some leaders causes much grumbling here, especially among rank-and-file ex-combatants who fought in Zimbabwe's liberation war but found themselves struggling for economic survival after the country achieved independence in 1980.

The issue went public in June, when Prime Minister Robert Mugabe and Politburo member Maurice Nyagumbo denounced officials who have

enriched themselves despite a 1984 leadership code that says they may own only one house and no more than 50 acres of land.

Nyagumbo, a party secretary who also sits in Mugabe's cabinet, said others should follow his own example: "At independence, I personally did not know the party had adopted scientific socialism as its official ideology and so I bought a farm in Headlands [a rich commercial farming area]," he declared before a June central committee meeting. After learning of the party's socialist stand, "I did not hesitate. I sold...to the government, to ensure that the farm would not be sold to any of my relatives," he said. Yet others, Nyagumbo complained, still buy hotels, farms and other businesses, to the point where they seem "to have adopted capitalism, become property owners and appear to be deceiving our people."

Mugabe likewise blasted "these dishonest and hypocritical socialists" who "were poor at independence but had taken advantage of positions to which they were appointed by the party or government to amass wealth."

The central committee meeting was followed by an announcement that all members must file financial reports—and either sell excess property to the party or resign from leadership.

According to Nyagumbo's latest statement, all the financial statements have been cross-checked and found "genuine." As the statements are secret, however, capitalist pursuits of socialist leaders still provide popular grist for local rumor mills. After selling their farms and hotels, one skeptic wondered, what businesses will officials buy next?

—Steve Askin



## FLORIDA

## State Dems in political swamp

By Patrick Toomey

MIAMI

**I**N MANY WAYS, FLORIDA POLITICS MIRRORS the hit TV show *Miami Vice*. Just as the show's creators have used flash and glitter to hide the fact that little of substance ever happens on their show, Florida's political leaders have used the illusion of growing national influence to hide the fact that little of substance ever occurs in the state.

Florida has one of the nation's most lackluster political climates, exemplified by the two main politicians, Sen. Lawton Chiles and Gov. Bob Graham. Both are well educated, proven vote-getters and bereft of guiding ideals. That both men are genuinely considered future Democratic leaders speaks volumes about current party politics.

Chiles is best known for his challenge to Senate Minority Leader Robert Byrd after the 1984 elections. Chiles ran as the "moderate alternative" to Byrd, championing that the Democrats had to "get back into the mainstream" if they were to avoid becoming a minority party. Although Chiles failed to become minority leader, he did manage to promote the myth that the Democratic Party is the captive of unions, minorities and other "special interest" groups. Chiles was so satisfied with this achievement that in March he joined Virginia Gov. Charles Robb in establishing the Democratic Leadership Council, an organization dedicated to developing a "more moderate" Democratic Party.

Graham's career illustrates why capital punishment remains part of the American criminal justice system. In the early stages of his first gubernatorial term, Graham was derided as "Governor Jello," a wimp who could not get any of his bills through the state legislature. Graham then proceeded to show that he was, indeed, a real man by regularly signing death warrants that ap-

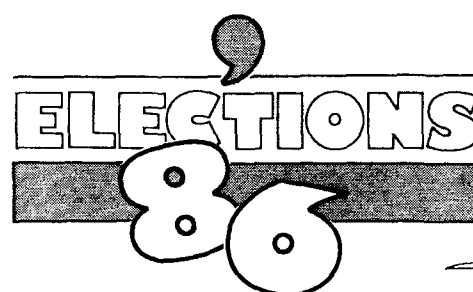
peared on his desk. Although only one man, John Spinkelink, was executed during Graham's first term, his willingness to carry out the death penalty, combined with an improved legislative staff, sent his political stock soaring. By the time Graham was up for re-election in 1982, he was a political titan who easily dispatched a badly over-matched Republican Congress member.

As his second term comes to a close, Graham is now involved in an expensive campaign to unseat Republican Sen. Paula Hawkins. Hawkins, who rode to victory on Reagan's coattails in 1980, is in trouble. She has accomplished little in her Senate term, and her health is a question mark. The only weapons that Hawkins brings to her battle with Graham are a large bankroll and a presidential endorsement. But since Graham's bankroll is also large—and Reagan is not at the top of the ticket this time around—neither of Hawkins' weapons should prove sufficient.

Potential presidential candidates are already seeking Graham's support. For example, New York Gov. Mario Cuomo, whose principled opposition to the death penalty sharply contrasts with Graham's position on the issue, has already traveled to Florida for a Graham fundraiser. If Cuomo or another Northern Democrat is nominated for president in 1988, Graham will certainly be considered prime running-mate material.

Florida's congressional delegation is even less impressive than Graham and Chiles. Militant anti-Communism is the norm, with unflinching support for the Nicaraguan *contra* rebels being almost *de rigueur* for any Congress member from Florida. Even Dante Fascell, chairman of the House Foreign Affairs Committee, and Claude Pepper, champion of the nation's elderly, have been bitten by the militaristic bug.

In a March vote, Fascell and two other Floridians were the only Democrats on his committee to support Reagan's recent re-



PAULA HAWKINS

quest for *contra* aid. Pepper, meanwhile, has not only repeatedly flip-flopped in his votes on the MX missile, but he also has been a key supporter of aid to Jonas Savimbi's UNITA guerrillas in Angola. Pepper's record is, at least, the more excusable of the two, because it seems to be based on both residual respect for the presidency and Cold War instincts held by the old New Dealer. Fascell's record, by contrast, appears based more on his fear of Miami's Cuban community than on any genuine principles.

The lone bright spot in the Florida congressional delegation is Rep. William Lehman. A wealthy automobile dealer from Florida, Lehman has compiled an astounding congressional record. Unlike Fascell and Pepper, Lehman has not allowed the almost hysterical anti-Communism of Miami's Cuban community to cause him to waver in his opposition to *contra* aid. He also strongly supports mass transit and is one of only two Congress members from a Southern state to receive a perfect rating

Continued on page 8

By Bob Gottlieb &amp; Peter Wiley

**S**IX OUT OF EIGHT RACES FOR Senate seats in the West currently held by Republicans may determine which party controls that body in the 100th Congress. In these races the Democrats not only have a shot at controlling the Senate, they could also make significant inroads in one of the most strongly Republican regions. All this could be done by effectively turning some typically Western issues involving land and resources on their head.

The eight states are Arizona, Oregon, Idaho, Nevada, North Dakota, South Dakota, Washington and Oklahoma. A ninth race in California pits Democratic incumbent Alan Cranston against Republican Rep. Ed Zschau in what should prove a close contest. Only in Arizona, where Republican Barry Goldwater is retiring and Republican Rep. John McCain is considered a strong favorite as his successor, and Oregon, where incumbent Robert Packwood is also favored, do the Republicans seem secure.

Five of these Western states—Idaho, Nevada, North Dakota, South Dakota and Oklahoma—were caught up in the Reagan revolution. Voters were moved by Reagan's ability to express their mistrust of the federal government, which is often the ironic flip side of the region's dependency on federal dollars and programs. He also won support by backing important resource industries, such as oil, gas and timber, and by his sympathy for localist movements, such as the Sagebrush Rebellion.

In these five races, typically Western issues involving farming, resource industries and the environment are central to the elections. But the incumbents face stiff chal-

## THE WEST

# Senate control may rest on six races

lenges from popular political figures because they have effectively turned around some of these issues, placing the incumbents on the defensive.

In South Dakota, the most vulnerable incumbent could be Sen. James Abdnor. Abdnor faces a strong opponent, Rep. Thomas Daschle, currently the odds-on favorite. The race's key issue is the farm crisis. Abdnor has failed to distance himself from the Reagan administration's farm policy in the midst of the most severe crisis on the Western plains since the '30s. Daschle, in contrast, has been an advocate of emergency farm supports and should benefit from this effort.

In North Dakota, the farm crisis has also helped create a volatile and unpredictable electorate. Incumbent Mark Andrews, once a safe candidate, is now considered one of the most vulnerable Republicans. On farm issues, Andrews, perceived to be a hard-working advocate of the state's beleaguered farmers, has managed to avoid some of the negative fallout facing other incumbents. His challenger, State Tax Commissioner Kent Conrad, is focusing instead on personality and approach and is closing rapidly on Andrews, according to local opinion polls.

In Oklahoma, a combination of the farm crisis and the collapse of oil and gas prices

is playing an important role. One-term incumbent Don Nickles, ahead in early polls, faces Rep. James Jones, chair of the House Budget Committee and a ranking member of the powerful Ways and Means Committee.

Ironically, Nickles has incurred the wrath of agri-business and water-industry interests by being a little too consistent in his fiscal conservatism. He has opposed several water development projects while backing plans for the Tall Grass Prairie Reserve. Nickles also is sponsoring an amendment to the small reclamation projects bill that would impose full market interest rates on repayment costs for such projects. Jones, meanwhile, has avoided these controversies, focusing instead on how to deal with his state's endangered economy. This might also turn out to be one of the most expensive Senate races.

In Idaho, a state with an undeserved reputation for its hostility to environmentalism, such issues are central in Gov. John Evans' challenge of incumbent Steve Symms. Symms, the only member of the Senate Environment and Public Works Committee to vote against Superfund legislation, is particularly keen on contrasting his attempt to oppose wilderness legislation with Evans' support for more wilderness areas. Evans approaches this issue in terms of Idaho's "heritage" and "quality of life." In this way

he has built support among hunters and fishermen, as well as Idaho's small band of eco-activists.

Nevada has also been a stronghold of the Reagan revolution. Today, however, Republicans are under attack for the administration-backed plan that selected Nevada as one of three sites for a nuclear waste facility. Ex-Democrat and former Rep. Jim Santini, designated the heir apparent by retiring Sen. Paul Laxalt, has had to contend with this nuclear albatross. Santini is presently lagging behind Rep. Harry Reid, a popular Las Vegas area politician.

Washington is the one state where a Republican incumbent will benefit most by distancing himself from the president. In Washington environmentalism runs strong, and there are marked contrasts between the Seattle area with its urban liberalism and more conservative and less populated rural areas to the east.

Sen. Slade Gorton is being challenged by Brock Adams, who served as secretary of transportation in the Carter administration. Gorton is running as pro-environment, but conservation organizations have blasted him for making exaggerated claims about his support for wilderness legislation. Gorton has emphasized his independence and is running ahead of Adams.

In many ways these Western Senate races, particularly in conservative strongholds, are a plebiscite on the Reagan revolution, but this time on the Reagan program rather than the president's personality. From the very start Reagan misread the meaning of environmental sentiment in the West. And his hostility around environmental issues could return to haunt his supporters in November.

©Points West

Bob Gottlieb and Peter Wiley write regularly about regional issues in the West.



## BRITAIN

## Thatcher's unsanctionable view

By Dilip Hiro

LONDON

**W**HILE WHITE SUPREMACISTS in South Africa face their most serious challenge yet at home, they have found British Prime Minister Margaret Thatcher to be a strong and effective ally abroad. She has raised her voice in an attempt to stem the rising tide of international opinion for imposing comprehensive economic sanctions against Pretoria.

Thatcher's Britain occupies a key position in the present South African crisis. Britain has a long-standing multilateral relationship with South Africa; it is the head of the 49-member multiracial Commonwealth; it is the current chairperson of the European Economic Community; its prime minister has an especially cordial relationship with President Reagan; and as a member of the seven leading industrialized nations it has close contacts with Japan.

Aware of the pressures she will be likely to face at the Commonwealth mini-summit in London on August 2, Thatcher has gone on the offensive with a spate of press interviews explaining why she opposes a mandatory trade embargo against South Africa.

"There is no case in history that I know of where punitive, general economic sanctions have been effective to bring about internal change," she argues. In the case of Pretoria, she says, sanctions will be ineffective, because South Africa has "colossal internal resources, colossal coastline.... Materials would get in and out."

Secondly, Thatcher believes that sanctions are immoral because they would hit South African blacks and its black neighbor nations the hardest, causing unemployment and starvation. "I find it utterly astonishing," says Thatcher, "that on the one hand we're doing everything possible to help Ethiopia to relieve poverty and starvation, and at the same time we are suggesting that we turn people who are in work out of work."

Finally, Thatcher fears losing imports of strategic materials from South Africa: platinum, chrome, manganese, vanadium, gold and diamonds. Since the only other major supplier of platinum, chrome and vanadium is the Soviet Union, she believes that sanctions would unduly benefit Moscow. "It's absolutely absurd that people should be prepared to put increasing power into the hands of the Soviet Union on the grounds that they disapprove of apartheid in South Africa."

Yet most leaders in southern Africa argue that economic sanctions are the only peaceful means of overthrowing apartheid, and that they and their followers are willing to suffer short-term damage to their economic interests for the long-term benefits of fundamental political reform in South Africa.

For southern Africa's frontline states, ending apartheid is more a matter of sheer survival than a moral crusade. For the past 10 years South Africa's neighbors have been the victims of Pretoria's unrelenting campaign of war, sabotage and economic blackmail (see *In These Times*, July 9). Pretoria has repeatedly severed the five landlocked countries' rail and road links to the sea either directly or through the guerrilla movements it finances and arms.

The Southern African Development Coordination Conference—composed of Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe—stated at a January meeting: "If comprehensive trade sanctions accelerate the end of apartheid, it would be well worth the additional cost [to us]." These states believe that once the West imposes economic sanctions against Pretoria, Western nations will find it harder to ignore

South Africa's campaign of war and sabotage against neighboring countries.

**Embargos can work**

Although economic embargos are a leaky, messy business, some do work. Some 103 instances of economic sanctions studied by the Washington-based Institute of International Economics shows that a third were successful. It concludes that to ensure success, economic sanctions should not hurt the countries imposing them too much, that they damage the pariah country's exports rather than its imports and that they are more effective against friends and allies than opponents. Pretoria's case has all the conditions for success.

The various boycotts imposed on South Africa to date have had mixed success. Sports boycotts forced South African authorities to think in multiracial terms for representative sports. The oil embargo, though leaky, has forced South African President P.W. Botha's regime to spend billions of rands—South Africa's currency; 2.6 to the dollar—to shore up reserves of oil procured at black market rates and set up oil-from-coal plants. The arms embargo has deprived Pretoria of advanced tanks, aircraft and warships.

The international bank squeeze on South Africa drove the rand down to half its previous value. Overall investment has slumped, and foreign investors are withdrawing. Last year, South Africa's previously leap-frogging gross national product fell by 1 percent. On the other hand, nuclear and technological embargoes were too little and too late to stop Pretoria from acquiring nuclear power or the technology to enrich uranium and to manufacture atomic weapons.

What sticks in Thatcher's throat, and Reagan's too, is the prospect of losing an important source of vital commodities and the advantage it would give to Moscow.

The Commonwealth Eminent Persons Group, in its report published in mid-June, indirectly addressed this question. It argued that if the West failed to impose economic sanctions then the post-apartheid regime would almost certainly nationalize all multinational corporations and thus deliver a grievous blow to Western economic interests. So as with the blacks in southern Africa, for the West it is a question of accepting short-term loss for the sake of long-term gain.

But more than economics is involved. How Thatcher perceives the situation in South Africa is revealing. Lifting the ban on mixed marriages, according to her, "signals the end of apartheid." She claims that the Groups Areas Act is "starting to go." There are, according to her, now "many blacks" with professional qualifications whose "only problem is that they cannot live where they want and cannot take a proper part in government."

Thatcher does not seem to have read the report of the Eminent Persons Group

**Most observers believe Botha's reforms have more to do with form than substance, and that his regime does not intend to dismantle the white power structure.**

(EPG), that spent six months examining the present system and the regime. "In the South African government's thinking, there were certain non-negotiables," states the EPG report. For example, the concept of the Groups Rights—the very basis of the apartheid system—was sacrosanct; the 'homelands' created in furtherance of that concept would be reinforced with the emergence of an 'independent' KwaNdebele; the principle of one-person-one-vote in a unitary state was beyond the realm of possibility; the Population Registration Act would continue; and the present tricameral constitution, which institutionalizes racism, must be the vehicle for future constitutional reform."

It is obvious to most observers that Botha's reforms have so far more to do with form than substance, and that the present regime has no intention of dismantling the political and economic power structure of white supremacy.

There is remarkable similarity between Botha's behavior at home and Thatcher's. Referring to such steps as Britain's withdrawal of its military attaché from Pretoria, Thatcher said, "We have gone along with the gestures and signals because I recognize that people want to do something more than words."

Apparently it was part of her "gesture and signal" approach that Thatcher, backed by West German Chancellor Helmut Kohl, got the recent European Economic Community (EEC) summit to agree to deputize Sir Geoffrey Howe, the British foreign minister and current EEC chairman, to initiate dialogue between the opposing parties in South Africa.

**African skepticism**

Zambian President Kenneth Kaunda condemned the EEC move as a "trick" to steal purpose from the impending Commonwealth summit in early August. In Lusaka he told the visiting Howe: "When white men suffer, you act; when black men suffer, you hesitate. It is very unBritish of the British prime minister to behave the way she is doing over sanctions." Howe's negotiations in the capitals of Zimbabwe and Mozambique were equally frosty.

Nigeria made plain its disgust with the British policy by initiating a boycott of the Commonwealth games scheduled for July 24 in Edinburgh, Scotland. Four African states of the Commonwealth and Malaysia followed the Nigerian lead. Their action is a precursor of what will follow if Thatcher remains obdurate. Nigeria and Zambia are threatening to leave the Commonwealth if Thatcher does not alter her stance, which can only weaken the Thatcher government's position.

The mutterings against Thatcher's stand within her Conservative Party have been rising audibly. These come at a time when there is consistent opposition to her stance from various other quarters. Labour, Liberals and Social Democrats favor mandatory sanctions against Pretoria. So do most of the newspapers, political commentators, trade union leaders and the synod of the Church of England.

In West Germany—the third most important trading partner of South Africa after the U.S. and Japan—the opposition Social Democrats and the Greens want economic sanctions to be applied against Pretoria. Recently, the Danish parliament voted for total economic boycott of South Africa. So did the European Parliament in Strasbourg. And the Irish government has already banned South African vegetables and fruit.

In the final analysis, sanctions are more than an economic weapon: they are a political symbol. If the West, which accounts for 90 percent of the total foreign investment of \$47 billion in South Africa and 70 percent of its foreign trade, enforces mandatory comprehensive sanctions, it would mean that it no longer regards the Pretoria regime as its economic or strategic partner. That is why the Botha regime is so keenly intent on fending off the prospect—as is its ally, Margaret Thatcher.

Dilip Hiro is a London-based journalist and writer. His latest book is *Iran Under the Ayatollahs*.



Prime Minister Margaret Thatcher raises her voice against South African sanctions.





South African youths have long been on the front lines of the battle against white segregationist rule.

Der Spiegel

## SOUTH AFRICA

# Student-led apartheid protests prompt Soweto school daze

By Anton Clayton

JOHANNESBURG

**M**ORE THAN 300,000 BLACK students boycotted classes in South Africa when schools opened last week. They stayed away to protest the government's tough new regulations that were designed to keep political activists out of schools, which has in turn thrust the education debate back into the forefront of this nation's political struggle.

Since 1976 black school children have been in the vanguard of opposition to the government's apartheid policies, and it is believed that the restrictions were aimed at keeping young anti-apartheid leaders out of schools.

The new regulations issued under the state of emergency by President Pieter W. Botha require all black students to re-register for school. The Department of Education and Training—which governs black education—is permitted to refuse the registration of any student in its 7,000 schools, without giving reasons or hearing appeals.

All pupils who re-register will have to carry identity documents at all times. School officials have also been given the power to place pupils in any standard or class. Pupils who fail to accept their placement shall be "deemed to have left the school voluntarily."

The Department also has upgraded school security, including the use of guards and improved fencing to keep out supposed troublemakers.

Black pupils' response so far has been a mass boycott. According to official government figures, 80 percent of the 1.8 million who could be registered turned up for classes, which means that, by the government's own account, more than 350,000 stayed away. But the government figures have been questioned, and in one area that it cited as having a high turnout—Soweto, the ghetto to the southwest of Johannesburg—a tour

last week revealed that few people had registered.

### Protesters "attending class"

What the authorities defined as "attending classes" was tens of thousands of black children gathering outside their schools to hold meetings that have been banned since the state of emergency was declared June 12.

The boycotts have been most successful in places where resistance to the government has been strong, including Alexandra Township outside Johannesburg, ghettos around the coastal city of Port Elizabeth and the black homeland of KwaNdebele northeast of Pretoria, where a rural insurrection aimed at overthrowing the corrupt local black government is underway.

The boycott, however, has not been coordinated with other anti-apartheid activities. It follows a key conference in early April when several community organizations under the umbrella of the National Education Crisis Committee (NECC) decided to return to classes. The NECC was formed after thousands of black pupils had boycotted classes for more than a year, amid anxiety in the black community that the education system could collapse entirely, leaving a generation of children without any education.

The resolution to return to school was a change in NECC strategy: schools were to be used as marshalling grounds to regroup and fight against the system of inferior education for blacks, and to examine ways of formulating people's education.

This decision was taken after a speech by Zwelakhi Sisulu, editor of the *New Nation* newspaper and son of the jailed African National Congress leader Walter Sisulu. Zwelakhi Sisulu counselled against the boycott, arguing instead for methodical progress, consolidation of gains rather than hasty actions. "We will not defeat apartheid while our youth alone carry on the struggle against Bantu education or other aspects of racist rule," he said.

"We will not win while our ranks are split by teachers who have not yet thrown

in their lot for the democratic movement. We will not win while our parents remain alienated from the demands of their children..."

But the NECC decision was made before a state of emergency was declared and before thousands of activists, including student leaders and Zwelakhi Sisulu himself, were detained without trial. The emergency's effect has been to wreck the NECC's decision.

With many leaders currently out of the way, anything could happen, including an escalation of the current boycott. The only constant factor is the mess in black education. At the root of the disarray is the segregated education system that is little changed since pupils first took to the streets of Soweto on June 16, 1976, in protest of the compulsory use of Afrikaans as a medium of instruction in the classes.

Although that requirement was eventually dropped, it soon became apparent as turmoil continued to wrack black schools that the Afrikaans issue was merely the tip of the iceberg of the black community's opposition to the system of "Bantu education," as the system has become known.

In 1981 a commission of inquiry appointed by the government to examine the education crisis in South Africa, the DeLange commission, advised that racially-segregated education should be abolished. The government's response was to segregate education even further. Today there are 15 education departments in South Africa—one each for whites, mixed race, "coloureds," Indians; one general department for these three groups; one department for

blacks outside the homelands and an education department in each of the 10 ethnic homelands.

In 1976 the government spent an average of 16 times more per year on the education of a white child than on a black child in the areas outside the rural black homelands. Today the gap has narrowed, but it's still wide. According to the figures of the various education authorities, in 1984 the government spent \$560 on the education of each white child versus \$61 per black child.

In the rural black homelands the per capita expenditure is even lower. In Lebowa, KwaNdebele, KwaZulu and Venda, less than \$45 per child was spent last year.

The department of education and training believes that the disparity arises because the majority of black children are in primary school, where education is cheaper, and about 78 percent of black teachers have lower qualifications than their white counterparts and therefore receive lower salaries.

### Built-in racism

But almost every aspect of education for blacks indicates this inferiority was built into the system by its architect, former Prime Minister Hendrik Verwoerd, who was assassinated in 1966. He told the country's all-white parliament in 1954 that blacks would never amount to more than "hewers of wood and drawers of water." Therefore, he said, "their education should be of a standard to prepare them for only the most menial of jobs."

In 1976, there were 20 pupils per teacher in white schools, and 54 pupils to a single teacher in black schools. In 1984, the figures totaled 19 for whites, 40 for blacks. Black pupil groups have repeatedly complained of overcrowding, shortage of adequately trained teachers and the inadequacy of school facilities.

T.W. Kambule, a lecturer in mathematics at the University of Witwatersrand, and previously headmaster in a Soweto school for 20 years, believes black education has deteriorated rapidly since the introduction of Bantu education in the '50s.

It was in response to this system that black pupils began their protests more than 10 years ago that have affected their education ever since. In 1985, sporadic boycotts in isolated places eventually spread throughout the country, posing a fundamental political challenge to the government. This trend may be recurring.

Anton Clayton is a freelance journalist who writes for *In These Times* from South Africa.

According to the figures of the various education authorities, in 1984 the government spent \$560 educating each white child versus \$61 per black child.



# Trade

Continued from page 3

marketed by Americans accounted for \$13 billion of the trade deficit with Japan. Betty Barker of the Department of Commerce's Bureau of Economic Analysis says that imports of finished goods and components by American firms accounted for \$49.6 billion of American imports in 1983—19 percent of the total. American manufacturing firms, as *Business Week* put it in its March 3 special issue, are becoming "hollow" vessels.

The plight of American manufacturing bears out the superficiality of the administration's remedies for the trade deficit. Its attempt to intervene in the world market generally contradicts its professed support for Adam Smith, but not entirely. Administration intervention assumes that once exchange rates are adjusted to reflect each nation's balance of trade and payments, free market forces will revive the U.S. economy. But if the decline of American manufacturing is viewed over the long run, it has been the undeterred action of market forces that have led to that decline—by encouraging the diversion of funds from manufacturing to services and from manufacturing at home to manufacturing abroad for sale at home. These decisions reflected market priorities and private rather than public criteria.

While the House bill goes further in combatting the trade deficit than the administration, it is based ultimately on the same assumptions. The bill would prevent foreign governments from subsidizing particular industries and would also require America's trading partners to adhere to unspecified labor practices. Once these impediments to free trade were removed, the bill's supporters assume, market forces would make the American economy viable. As the bill's sponsors, Missouri Rep. Richard Gephardt and Ohio Rep. Donald J. Pease, wrote in the May 18 *Washington Post*, the bill "attempts to discipline unfair play and move

the international trading system toward more open markets for the benefit of all nations."

As dissident liberal economists like Robert Reich have argued, the trade deficit in manufacturing demonstrates the need for an industrial policy that oversees, coordinates, subsidizes and even polices American manufacturing investment. Such a policy could use tax and monetary regulations to encourage firms to invest in more productive manufacturing facilities at home rather than diverting their capital overseas or into services and speculation. It could establish quotas and tariffs to protect American firms, but only in exchange for a commitment by those firms to America's industrial future.

The House bill does contain one small gesture toward a government industrial policy. It would set up a 16-member "industrial competitiveness council" to develop strategies to improve American economic performance. But such a council would be merely advisory in function and would have no fiscal powers. Its almost incidental inclusion in the bill signals a lack of commitment to active government intervention.

## Politics as usual

As David Gordon wrote in the April *Atlantic Monthly*, Americans need not conceive of our trade goals as "staying on top" but rather as sustaining and enhancing our own standard of living. Toward this end, Americans have to ask, "Do we want an auto industry? A steel industry? A semiconductor industry?" just as a decade ago we asked, "Do we want a domestic energy industry?" If the answer is yes, then we have to take whatever steps are necessary to ensure that such an industry exists.

Such active intervention would not be a sharp break with what government has done. For five decades the U.S. has had an "industrial policy" for agriculture but not for manufacturing. Since the '30s, the government has been committed to preventing the collapse and encouraging the spread of

American farming. This has included an active policy of encouraging exports. But except through incidental military expenditures and arms sales abroad, such a policy has not been extended to manufacturing. Says political scientist Robert Angel, "America is the only civilized country that promotes the export of primary products and fails to promote manufacturing."

But an industrial and trade policy would be a sharp break with the administration's—and most Americans'—ideological presuppositions. The administration's ideological commitment to laissez-faire capitalism and to free trade prevents it from considering government intervention. Treasury Secretary Baker can get away with an interventionist policy in the rarefied reaches of global finance, but few administration policy-makers or supporters would countenance the appearance of an industrial policy. And the Democrats in Congress are leery of declaring their allegiance to Keynes rather than Smith.

The House bill—with its timid and

merely implicit gestures toward active intervention—was primarily a political rather than legislative document. Few of the House members who voted for it expected that it would ever become law. To do that, it will have to pass the Senate in similar form. Then the differences between the House and Senate bills will have to be worked out—a process that by itself usually takes over a month. Finally, it will have to be sustained by a two-thirds vote against a presidential veto—all before Congress recesses October 1.

In passing the trade bill in May, House Democrats like Gephardt were more interested in identifying the Democratic Party with the trade issue for November's congressional elections and in pressuring Reagan to take sterner measures against the Japanese. The bill will probably succeed in both these respects, but it won't succeed in reviving American industry. Things will have to get still worse before anyone in Washington starts thinking seriously about how to make them better.

# Florida

Continued from page 5

from the Peace PAC in 1984 and 1985. Unfortunately, his example has not stiffened the spines of his Florida colleagues.

Spinelessness has been in abundance in Florida politicians in recent years. In 1983, when the need for additional revenue became apparent, the state legislature passed a unitary corporate income tax. But a year later, after being bombarded with the anguished cries of outraged business lobbyists, the legislature repealed the tax. And although Florida jails and executes more people per capita than almost any other state, each candidate in this year's gubernatorial race is trying to outdo the others in his willingness to "get tough" on crime. One candidate has volunteered to personally "pull the switch" on Florida's electric chair, and another candidate has run TV commercials advocating the construction of a Devil's Island-type prison for drug traffickers.

## The message

By founding the first chapter of the Democratic Leadership Council, Florida took a leadership role in that organization's development. Democrats sincerely believe that, because they have been able to maintain a stranglehold on state and local offices while the Republicans have been sweeping Florida's presidential elections, they have a lesson to teach the national Democratic Party. That message, stripped down to its essentials, is: become more like the Republicans and you will prevent people from becoming Republican.

Yet these self-satisfied Florida Democ-

rats are freely dispensing unsolicited advice to the national Democratic Party at a time when their own local political fortunes are starting to decline. This began in 1984, when Rep. Andy Ireland and Tampa Mayor Bob Martinez switched parties and Republicans showed strong gains in local elections. As it continued into 1985, the *Miami Herald* speculated that the long era of Democratic dominance in Florida might be coming to an end.

Events this year confirmed that speculation. By out-registering the Democrats two-to-one among new voters in the rapidly growing state, the Republicans have increased their registration totals in 18 of Florida's 20 largest counties. The late primary date makes it impossible for us to forecast accurately the governor's race at this time, but the undistinguished nature of the Democratic candidates leads one to conclude that the Republican nominee will at least stand a fighting chance in November.

This Republican surge is especially disturbing because Florida Democrats lack the building blocks traditionally used by Democrats elsewhere to build majority coalitions. Organized labor is weak in Florida, and the right-to-work law makes it likely that it will stay that way. The only minority group in the state with any political influence is Miami's rabidly Reganite Cuban community.

Florida's one liberal bastion, the well-organized retirement communities along the Southeast coast, is too scattered to affect most congressional races and too small to affect most statewide races. Therefore, even if Florida Democrats did have the will to develop a more liberal strategy, the constituency just isn't there.

Patrick Toomey is an attorney and a columnist for the *Boca Raton News*.

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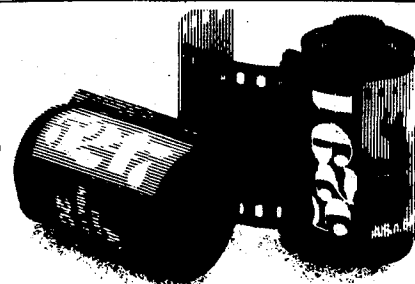
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## PERU



Civil liberties in Peru dwindle as the military extends its power in the wake of the June 19 prison massacre.

# Garcia may be riot's final victim

By Gregory N. Heires

LIMA, PERU

**P**RESIDENT ALAN GARCIA PEREZ faces the biggest crisis of his first year in office following the massacre of up to 300 Sendero Luminoso guerrillas in a prison uprising last month.

Occurring on the eve of the inauguration of the 17th Congress of the Socialist International in Lima, the massacre deeply tarnished Garcia's international image. His feisty "anti-imperialist" rhetoric and decision to limit payment of the debt to 10 percent of Peru's export earnings had won plaudits in left-wing circles abroad. The Congress, held in Lima as a gesture of support for Peruvian democracy, was overshadowed by the brutal exhibition of violence, which ironically served as a stage to display the weakness of Peru's democratic institutions.

At home, Garcia is criticized for ceding control of the prison uprising to the military without first attempting talks with prison protesters. And his power over the internal politics of his ruling party, APRA, shows signs of decline. Details of the quashed prison revolt remain cloudy.

The uprising by Sendero Luminoso (Shining Path) guerrillas took place in three Lima prisons. On June 18, prisoners at the Lurigancho, El Fronton and Santa Barbara penitentiaries took nine hostages. Within a few hours, Garcia gave the military responsibility for putting down the rebellion. The next day as many as 300 presumed guerrillas were dead, according to estimates by human rights organizations. Only 5 percent of the prisoners held under terrorism charges had actually been convicted, according to Martha Huatay, president of the Democratic Lawyers Association of Peru, which represents alleged members of Sendero Luminoso.

Officially, the Armed Forces Command acknowledged that 30 guerrillas died and 30 surrendered during the attack on the Blue Pavilion in the El Fronton prison, located on an island near Lima. Civil authorities were not present when the prison revolts were put down.

In an official communique, the government said that the armed forces "loyally" carried out its service to the nation on orders from the government. But the report also said that, "In the actions in the Lurigancho prison, the number of deaths...leads to the presumption that excesses in the use of force were committed in carrying out the

dispositions of the government." The government called for the armed forces to investigate. Later Garcia blamed the police for executing as many as 100 inmates who had surrendered. "Either they go or I go," said the president, vowing to hold the police accountable for the "excesses."

So far, however, Garcia has avoided a direct confrontation with the military, which still controls the prisons. Some Peruvians suggest that the police have become scapegoats. By focusing on police participation in the Lurigancho massacre, Garcia has shifted attention away from repression of the revolt at El Fronton, where rebels were armed with only two rifles and a machine gun. Before the assault, there were 160 alleged members of Sendero Luminoso in the island's Blue Pavilion, which was reduced to rubble by members of Peru's strongly anti-communist navy. While admitting that 60 prisoners either died or surrendered, the Armed Forces Command has not accounted for the 100 missing inmates.

Meanwhile, the bodies of prisoners killed by security forces in both Lurigancho and El Fronton have been removed secretly by the military, according to human rights groups. The names of nearly 100 of the victims in Lurigancho have shown up on tombstones in Lima area cemeteries.

### Garcia's turnaround

Garcia's reaction to the Lurigancho and El Fronton massacres has differed markedly from his response last September to revelations that the military had slaughtered 69 peasants in an "emergency zone" controlled by the armed forces. As a result of the massacre, Garcia forced the military leaders responsible to step down.

This year, however, two civil authorities—the head of the Republican Guard and the minister of justice—were forced out of office—while military leaders who commanded the operations were left untouched.

Since last year's incident, the civilian government has refrained from publicly confronting the military, but appears to have quietly convinced the military to curb human rights abuses. Reports of "disappearances" have dropped off dramatically. Since Garcia took office last July, there have been some 100 disappearances at the hands of the security forces in the Ayacucho area, while under the previous government of Fernando Belaunde Terry, some 2,000 disappearances were reported over a three-year period. In an effort to curb social inequities, Garcia appears committed to promoting de-

velopment projects in that region.

Yet the government has been unable to stifle Sendero Luminoso. Six years ago these neo-Maoist guerrillas initiated their "protracted war from the countryside to the cities." Since then they've extended their presence to almost all areas of the country. Their tactics have grown bolder, increasingly focusing on urban centers and including selective assassination. In May, for in-

IN THESE TIMES JULY 23-AUGUST 5, 1986 9 stance, the guerrillas killed Rear Admiral Carlos Ponce in Lima; the officer was said to be involved in a counterinsurgency plan to infiltrate the guerrilla organization, which is estimated to have between 2,000 and 7,000 members.

In the last year, the guerrilla conflict has led to a creeping militarization of Peruvian society and a weakening of the country's democratic institutions. A wave of violence early this year led Garcia to declare a state of emergency and put metropolitan Lima under curfew. For the first time since Peru returned to democracy in 1980, soldiers routinely patrol the streets at night in the capital. The state of emergency suspends certain constitutional rights, including the right to hold meetings. Union sources complain that it restricts labor organizing, and the Revolutionary Socialist Party (the most conservative member of the United Left opposition front) has recently had a running feud with officials over permission to hold a congress in Lima. Some 40,000 people—mostly drunks and derelicts—have been arrested for curfew violation, while 15 people have been shot dead because they allegedly did not obey orders to halt.

Press freedom is also more restricted under the Garcia government than during the previous administration. Shortly after Garcia came to power, the government met with local press representatives to encourage them to play down events in the emergency zone. The day after the prison uprisings, police confiscated editions of the far-left newspaper *El Nuevo Diario*.

After assuming the presidency in the first transfer of power between two democratic governments in 40 years, Garcia is undoubtedly searching for ways to strengthen the strong popular mandate that put him into office a year ago. But faced with coup rumors and confronted by the most violent guerrilla movement in Latin America, President Garcia seems to have little room to maneuver.

Gregory N. Heires writes regularly on South American politics for *In These Times*.

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## ISRAEL-GATE

## Thread of truth; fabric of lies

By Hillel Schenker

TEL AVIV

**F**OR NEARLY TWO MONTHS ISRAEL has been rocked by an affair that has shaken the foundation of the National Unity Government and touched the moral core of Israeli society. Almost every day the media is filled with new revelations about what has become known as the GSS affair (General Security Services—the fabled *Shin Beth*).

It all began on April 14, 1984, when a bus from Tel Aviv to the southern town of Ashdod was hijacked by four young Palestinian terrorists from Gaza. Israeli security forces stormed the bus, killed two of the hijackers, liberated the passengers—though seven were wounded and one died—and captured the two remaining Palestinians.

At first it was announced that the two Palestinians who had been wounded in the struggle died on the way to the hospital. But when photographer Alex Livack of the Israeli daily *Hadashot* developed his pictures from the scene, one showed a frightened but apparently quite healthy hijacker being led away by his Israeli captors.

Accusations were made that the Palestinians had been handcuffed, beaten and killed during or after questioning. Brigadier General Yitzhak Mordechai, commanding officer on the scene, was investigated by the Zorea Commission of Inquiry, appointed by the Likud government headed by then-Prime Minister Yitzhak Shamir. After a 495-day investigation, Mordechai was cleared of any responsibility for the affair.

Which left only one question: who was responsible for the killings?

In late 1985 the case was reopened when three senior officers in the Shin Beth (including Deputy Commander Reuvain Hazak) demanded that Shin Beth Commander Avraham Shalom resign because of his part in the affair, which sources indicate may have included the ordering of the killings and the falsifying of evidence before the Zorea Commission of Inquiry. When Shalom refused to resign, the three officers returned to now-Prime Minister Shimon Peres with their complaints, and he, appar-

ently in conjunction with Vice Prime Minister Shamir and Defense Minister Yitzhak Rabin, backed Shalom, saying that for security's sake the affair should remain closed.

The three officers remained convinced that precisely for the sake of security the affair had to be reopened, and they approached Attorney General Yitzhak Zamir for a ruling on the issue. Zamir has a well-deserved reputation as a staunch defender of the legal foundations of Israeli democracy. After a thorough examination he concluded that there was evidence indicating Shalom had concealed evidence and obstructed justice. Zamir recommended that a police investigation of the affair be initiated. Right-wing Likud ministers in the National Unity Government immediately responded with an attack on the attorney general's patriotism, saying that since security was the paramount consideration the affair should be closed.

The fact that the Shin Beth commander was under suspicion of responsibility for a cover-up hit the Israeli press like a bombshell. Major General (Reserve) Meir Zorea, the head of the commission of inquiry that had investigated the allegations made previously against Brigadier General Mordechai, said, "It is impossible to base our security on lies." Speaking to the Israeli daily *Al Hamishmar*, he said, "The law is the limit that human civilization places before its members, so that they won't hurt each other. Thus, the law should be sacred, and a society that wants to continue to exist must abide by its own laws."

Twenty professors and lecturers at the Tel Aviv University Law School published a statement supporting the attorney general's recommendation. "We express deep concern about attacks from political circles against the attorney general," they wrote. "The principal of equality before the law refers to everyone, no matter what his rank in society. Any attempt to describe the law as being hostile to security considerations strikes a blow at both the legal fabric and the security infrastructure of our society." After declaring that no person responsible for security can be exempted from observing the moral and legal constraints of the law, they concluded with a call for a

"courageous, independent and responsible inquiry."

Zamir, who had submitted his resignation to the government prior to the breaking of the story—subject to the finding of a suitable replacement—was quickly replaced by Tel Aviv District Court Judge Yoseph Harish. Clearly, some hoped that he would be more amenable to government wishes to end the affair. But after examining the evidence Harish indicated that he too saw no alternative but to recommend either a police or a judicial investigation of the case.

In order to avoid facing those two alternatives, Likud Knesset member Yoram Aridor, a close associate of Shamir, along with two private lawyers produced a plan acceptable to the government and President Haim Herzog. Shalom submitted his resignation to the president, who then pardoned Shalom and three of his Shin Beth associates, clearing their record and presumably putting an official end to the affair.

## The latest poll found only 42 percent support an investigation.

But this astonishing legal sleight of hand once again produced a public outcry. Former Minister of Justice Haim Zadok of the Labor Party called the president's pardon a "black day for the rule of law in Israel." In an interview to be published in the August issue of *New Outlook* magazine, he says that there were allegations of serious crimes having been committed by Shalom and some of his subordinates. "These allegations should have been investigated," he says. "Instead [of an investigation], what we got was the resignation of the security chief coupled with an unprecedented pardon granted to him and his subordinates, designed to block the investigation."

In the same interview, Zadok says that he rejects "any attempt to present law and security as being in any way contradictory. The law in Israel is designed to assist the security services in their activities, and they, on their part, must, of course, carry out their activities within the framework of this law." Zadok has been one of the most outspoken critics of the pardon exercise, together with Ministers Weizman, Shahal and Rubenstein.

### Pandora's box

Five appeals to the High Court of Justice have challenged the legality of the preemptive pardon. In a brief that he was requested to submit before the High Court of Justice, Shalom said that he saw his request for a pardon as an admission of guilt, while noting that he had received "permission" from the appropriate "authority" for his actions, without naming that authority.

The only authority that Shalom was beholden to was Prime Minister Shamir, who recently claimed that he only heard about the cover-up eight months ago from Prime Minister Peres. This put Shamir and Shalom on a collision course, each challenging the veracity of the other's statements.

The GSS affair, which sometimes looks like a hall of mirrors in a deadly serious "amusement park," must be examined the following ways:

- What exactly happened on April 14, 1984, and who was responsible for the subsequent cover-up?

- Since Vice Prime Minister Shamir is scheduled to replace Peres as prime minister in October, according to the terms of the National Unity Government rotation agreement, his possible participation in the cover-up or killings may affect the future

of the coalition agreement.

- Many believe that what is really at stake is the ethical code, the moral and political values that guide life in Israel. They include the necessity to maintain a strict separation between the executive and judiciary powers and the preeminence of the rule of law.

### Sullyng the purity of arms

Since Israel has not reached peace agreements with some of its neighbors, special attention has always been given to what is known as the "purity of arms"—the attempt to adhere to ethical rules of war-time conduct. One guiding principle has been the sanctity of a prisoner's life. The Israeli defense and military establishments always lead the opposition to call for the enactment of the death penalty for terrorist crimes. They fear, no doubt correctly, that the execution of convicted terrorists in Israel would lead to Arab executions of Israeli prisoners. In Israel's 38-year history, the only convicted prisoner to receive the death penalty is Nazi war criminal Adolf Eichmann.

In order to maintain the principle of the sanctity of a prisoner's life, it is vitally important that the initial events leading to the GSS affair be thoroughly investigated, and that clear guidelines be established for future GSS activities.

The High Court of Justice was scheduled to rule on the challenges to the legality of the presidential pardons on July 20. A majority of the Labor-alignment ministers in the government, including Peres, now back some form of judicial inquiry into the GSS affair. The Likud ministers, led by Shamir, opposed either a judicial or a police inquiry—though they will accept "some other form of investigation."

When four terrorists from Lebanon recently tried to attack Israel's northern coast and were stopped in a bloody battle during which two Israeli soldiers were killed and nine were wounded, Shamir used the occasion to say that the "civil war" aimed against those who are struggling to defend Israeli security must stop. In Shamir's view, the GSS affair should end, and all energies should be focused against the threat of Arab terror.

Public opinion polls tend to support Shamir's view. The latest one found that only 42 percent support some form of investigation, while 58 percent are opposed. A Tel Aviv taxi driver put it this way: "Terrorists deserve to be killed. So what's all the fuss about?"

On July 14 the government voted against a judicial investigation of the GSS affair, and Prime Minister Peres and his Labor-alignment colleagues found themselves at the losing end of a 14-to-11 vote. Attorney General Harish announced that he will now call for a police investigation of the affair. In another development, the prime minister proposed a three-member committee to be headed by former Military Intelligence Chief Aharon Yariv that is to set operational norms for the GSS.

The man on the spot is Peres. After receiving good marks for extracting Israeli troops from Lebanon, halting inflation and creating a more conducive atmosphere for political initiative in the peace process, his administration has been buffeted now by four crises: the GSS affair, the Pollard affair, the inability to carry out the recommendations of the Bejsky Commission (that all the heads of the four major Israeli banks resign in the wake of their joint manipulation of bank stocks a few years ago) and a crisis in agriculture. Observers note that all four crises stem from policies begun during the Likud governments of Menahem Begin and Shamir. But Peres is still left facing the flack, and his standing, even with his own party, has been damaged.

But if the GSS affair continues to snowball into a full-fledged Watergate-type scandal, the man most likely to play the role of Richard Nixon and to pay the equivalent political price is Yitzhak Shamir.

**Hillel Schenker** is associate editor of *New Outlook* magazine in Tel Aviv.



Israeli Vice Prime Minister Yitzhak Shamir



By Diana Johnstone

PARIS

**H**ERE ARE A FEW SIGHT-SEEING tips for American tourists who dare to brave the terrorist scare to visit Paris. Aside from all the art treasures, the city is a great historical and social document. For the past quarter of a century, the Paris of the Fifth Republic has been undergoing the biggest transformation since Baron Haussmann redid the city in the 1860s under the Second Empire of Louis Napoleon.

Once again urban renewal can be seen as the most irresistible weapon in the class struggle. Haussmann's sumptuous boulevards delivered the center of the old city to the rich, demolishing the strongholds of the people of Paris who had made the revolutions of 1789, 1830 and 1848. The lower classes were largely relegated to the outer village-boroughs of the East side, Belleville and Charonne. The Fifth Republic modernization begun under de Gaulle aims at gentrifying the East side, starting with the refurbished old aristocratic Marais neighborhood. Paris is saying its *Adieu au proletariat* with reinforced concrete.

From Charles de Gaulle airport, with its satellite motifs and other hints at space travel, the best way into Paris is the Roissy Rail train that takes you right into the center of the Metro subway system, its biggest underground station at Les Halles-Chatelet. Some of the best Metro musicians perform in these corridors. Escalate out of the hole and into the Forum, the claustrophobic shopping mall that has replaced the old wholesale food and flower market that Zola called "the belly of Paris."

Paris' new belly has a taste for fast food. Should you fear that terrorists are roaming about looking for American tourists to attack, whip into any of a thousand or so gaudy boutiques and model yourself on the punks lounging about daring anybody to see anything odd about their green and purple stand-up hairdos. Thus disguised, your greater safety from terrorists will put you in much greater danger of a run-in with a more common peril—overzealous police. Quite law-abiding and ordinarily dressed middle-class teenagers have recently been arrested in the late afternoon and kept overnight in jail by Paris police anxious to protect them from the "moral danger" of the "polluted atmosphere" in this showcase of modernity.

### Unreal market

When Les Halles was the central wholesale market, it was a hard-working neighborhood. Deliveries went on all night, as did cafés, restaurants, prostitutes. There was so much food around that the down-and-out could always scavenge sustenance. Old pensioners would pick through abandoned crates for a slightly bruised cauliflower or a not-yet-rotten tomato. Now the central wholesale market is out in the middle of nowhere at Rungis near Orly airport. And you need a vehicle and a pass to get in. The commercial director of the Halles de Rungis, incidentally, is a former Nazi sympathizer named Pierre Bousquet who volunteered for the Waffen SS during the Occupation and was sentenced to death after the liberation, but served only two and a half years in prison. He now heads an extreme right-wing group that criticizes extreme rightist Jean-Marie Le Pen for being too moderate.

Serious business like food distribution is out of sight and in unseen hands. In its place is a flashy playground. The old Halles was colorful and real, the new one is colorful and unreal. The punks are only the most obvious sign of a population being infantilized. The meaning of the new Halles is to live for the image of the moment. Image is everything, yet it means nothing.

This credo of modernism is illustrated more impressively a few blocks east at the Pompidou Center in the place Parisians call Beaubourg. From the volunteer circus of jugglers, mime artists and musicians outside through the prestigious exhibits up to the great view of old Paris from the top,

## PARIS

# Guide to the high tech City of Light

the Pompidou Center offers plenty to look at. The Pompidou style of exhibit is anti-didactic. Unlike museums of the past, the aim is not to "cultivate" the masses but to keep them diverted in their expanded free time.

South of Pompidou Center the Gothic church of Saint Merri, for lack of parishioners, sometimes provides a fine setting for concerts or offers a haven for political refugees from Latin America. Sometimes a handful of exiles stage a symbolic hunger strike in solidarity with Nicaragua. Most Parisians consider such events something out of the past.

North of Pompidou Center is the busy new neighborhood le Quartier de l'Horloge, named for a sinister metallic glockenspiel that tourists are invited to admire. Every hour on the hour, a stiff phallocratic warrior (symbolizing "time") flails his sword about and "defeats" one of three attackers—a dragon, a crab or a rooster (symbolizing earth, sea and air). Artificial esoterism, especially combined with the martial arts, is flourishing in modern, post-modern, post-everything Paris.

The clock was inaugurated in 1977 by Jacques Chirac during one of his first acts as mayor of Paris. The fact that Paris could become a safe power base for the neo-Gaullist leader and current prime minister is proof of the extent of de-proletarianization of the capital achieved by 1977. Once considered a hotbed of revolutionaries, Paris now votes to the right of France in general.

A prime example of the gentrification that has ruined the political fortunes of the left in Paris is the rue de Bievre, a narrow street on the left bank across from the rear end of Notre Dame Cathedral. A few years ago it was a slum. Now President Francois Mitterrand lives there, preferring it to the Elysee Palace, which he uses only as an office.

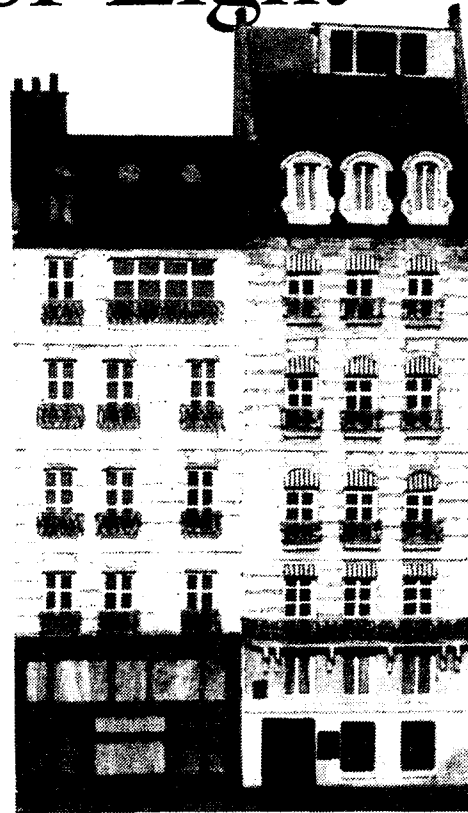
### Tracking down 1968

Pilgrims looking for traces of the events of May 1968 can stop at the intersection at the bottom of the rue Soufflot to contemplate the rue Gay Lussac, where *lycée* students resisted police charges in the famous "night of the barricades." The intersection also provides a choice between three American-style fast food restaurants, including a MacDonald's.

In the rue St. Séverin, Maspero's bookstore—where the generation of the '60s pored over revolutionary literature from the whole world—has long since been replaced by Nouvelles Frontières travel agency. Interest in the Third World survives as a search for exotic vacation spots.

In the bookstores of the Latin Quarter, political books are hard to find, vastly outnumbered by works on the occult. But the books that really sell are the elaborately drawn comic books, probably the most thriving art form in contemporary France. The draftsmanship is frequently spectacular. The content is usually escapist, erotic or fantastic. The genre lends itself to effective political propaganda. Currently, a leading example is a version of a novel by Robert Moss, brilliantly illustrated by Bilal, whose detailed drawings make the Soviet Union look as if it should be destroyed by nuclear weapons. Perhaps no contrast is more extreme than between the old French books that hid their secrets inside uncut pages and the new picture books screaming for instant consumption like rich fancy cakes.

The easiest escape from French modernity is George Whitman's old-fashioned American bookstore on the rue de la Bucherie, which has grown but changed little since he started it up after World War



II. Political books can be found at Attica in the rue des Ecoles. But where is the French left?

The quick answer is: in the cemetery. It is significant that the main shrine of the French working-class movement is the wall in Père Lachaise cemetery where Communards were lined up and shot during the repression of the Paris Commune in May 1871. The Commune had come into being only three months before, by accident, when the patriotic people of the hills of northeastern Paris, Montmartre and Belleville, refused to surrender their cannon to the victorious Prussians after the central government abandoned Paris and moved to Versailles. Haussmann had planned boulevards where troops could move rapidly from their barracks at Place de la République through the city to put down popular revolt.

But the Commune happened anyway, only a short time later, because the emperor stupidly began a war he could not win. Abandoned, the common people set up a municipal government called a Commune, as in the Middle Ages. Adolphe Thiers sent troops from Versailles to destroy it. The fighting ended among the tombstones of Père Lachaise. The victorious Versailles troops thereupon massacred an estimated 20,000 people. Thousands more were exiled to far-flung French islands.

A few of the surviving Communards were eventually buried in tombs opposite the wall. The French Communist Party has a strip of land on the other side of the path where, as my right-wing landlord once said gleefully, "there are a lot of dead Communists." There are also graves and monuments to martyrs of the Resistance and victims who died in Nazi concentration camps.

### Bitter legacy

The Commune's repression decimated

Unlike museums of the past, the aim is not to "cultivate" the masses but to keep them diverted in their expanded free time.

Paris' working class and left a heritage of bitter class distrust and resentment. Martyrdom has perhaps been more important than Marx in the ideology of the French working-class movement. Songs and ceremonies echo the fervent wish that past defeats must be the foundation of future victories.

The heritage of class hostility helps explain why part of the French right has long been hostile to industrialization, and why the idea of a post-industrial high-tech society with services and no proletariat arouse such widespread enthusiasm in the French bourgeoisie, even if achieving it poses some as of yet unsolved problems.

After the Communards' massacre, writes historian Alistair Horne in *The Fall of Paris*, "half the house-painters, half the plumbers, the tile-layers, shoemakers and zinc-workers had disappeared." At Belleville there were streets that seemed to be tenanted solely by old women. Belleville, the big village across the northeastern hills of Paris, was repopulated by immigrant workers. In the '20s, there was a big wave of Jews escaping anti-Semitism in Poland. The Polish Jews of Belleville played an important role in the life of the French left, and indeed still do (one is Henri Krasucki, secretary general of the Communist-led labor confederation, the CGT). A walk through Belleville shows that France, like the U.S., is an immigrant country, whose working class is repeatedly renewed—and divided—by the arrival of new ethnic groups.

From the terraces of the kosher couscous restaurants of the Boulevard de Belleville, Paris looks like a Third World metropolis, with its *hamman* baths and exotic vegetable stands. The people (and often, their robes and turbans) come from Morocco, Mauritania, Mali, Turkey and Algeria. They have legal jobs working in the automobile factories, or illegal jobs in small needle-trade sweatshops in the back alleys.

But robotization and racism are making even the best jobs precarious. The newest wave of immigration from Southeast Asia and China is creating a new Chinatown up the rue de Belleville and seems to be jumping straight into the lower-middle classes. They can't exactly say so, but most French leaders implicitly welcome the Asian immigration as potentially propitious for a high-tech nation aspiring to a role in the Pacific. North African Moslems, on the other hand, are regarded with most hostility as hard to assimilate, although the successful assimilation of second-generation North African women is being celebrated in books and articles.

Down the boulevard at the Place du Colonel Fabien—*non de guerre* of the young Communist who initiated the armed Resistance by assassinating a German officer in the Paris Metro in 1941—the French Communist Party intended its new headquarters to be in the heart of proletarian Paris. But the proletariat has either been spirited away by gentrification, or else has no citizenship or voting rights. Brazilian architect Oscar Niemeyer designed the glass building to be open to the people of Paris, whose revolutionary tradition he admired. Instead, it stands nearly deserted in an unfriendly neighborhood. The French Communist Party is also resolutely "modern," but its concept of modernism and its constituency are being left behind.

To see the dominant concept of modernism, take the suburban RER train to Noisy-le-Grand, the most spectacular section of Marne-la-Vallée, one of the five "new cities" being built from scratch in the Paris region. Here are ultra-designed structures for the new technocracy, monumental circles and pillars by Catalan architect Ricardo Bofill, often likened to the "Mussolini style of fascist Italy." The Bofill urban landscapes seem perfect settings for the cruel adventures of contemporary French comic books.

If all this harsh modernity arouses nostalgia for an old-fashioned way of life, the remedy is on its way. Eurodisneyland will soon be built at the end of the Marne-la-Vallée RER line. Technocrats hope that tourists will flood in from other countries to see Mickey Mouse and quaint old fairy-tale Europe as imagined by Walt Disney. ■



# JUSTICE

By David Kairys

The three articles that follow reveal the contradictory approaches and results that characterize the current Supreme Court. Within a matter of weeks, the court recognized sex harassment as a prohibited form of sex discrimination and approved of affirmative action in at least some circumstances, while allowing the states to criminalize consensual gay sex and consensual heterosexual acts recommended by best-selling sex manuals and practiced by an overwhelming majority of people.

But such contradictions are not unusual and should not surprise. Although there is considerable distrust of law and lawyers these days, we Americans—including those of us on the left—still have an unusually idealized notion of our legal system.

We talk about judicial activism and restraint as if there were legally required results divorced from values, politics and experience. Our president can state, almost without challenge, that he likes his nominees for the Supreme Court because of their conservative views, but it is improper for the Senate to consider more than technical qualifications in deciding whether to confirm them. The myth that fair procedures, application of legally mandated rules and interpretations, and logic result in justice—or even determine judicial outcomes—is very much alive. It justifies the enormous power of courts in our society, limits the scope of political discourse and legitimizes the social order.

The current Supreme Court is composed of two consistently liberal justices (Brennan and Marshall), two or three consistently conservative justices (Rehnquist, Burger and O'Connor), and a large, moderate center that usually tilts to the right. "Consistent" means that the justices at the court's political poles have predictable judicial approaches and perspectives, although it is often not clear in particular cases which rule or result is liberal or conservative. For example, the sex harassment decision would seem to be liberal, but other considerations may explain the court's unanimity, including the importance to business of incorporation of women into the workforce and the widespread nature of the problem.

Occasionally the moderates have shown a willingness to interrupt the generally rightward trend. They are less coherent in their approaches and less predictable, although some are fairly consistently liberal on certain issues and conservative on others.

The court has not wholly abandoned the "activism" of the Earl Warren years, as many expected it would. Yet there is a clear trend away from protection of individuals and groups from harmful or invasive actions by national, state

or local governments. The conservative approach—popularized with notions of limiting government—has enormously strengthened the hand of government and big business, particularly against working people, the poor and minorities.

The worst example is the sodomy decision discussed on this page. It resembles some of the court's lowest moments, cases like *Korematsu vs. United States* (1944), *Bradwell vs. Illinois* (1873) and *Dred Scott vs. Sanford* (1857)—where the court upheld the internment of all persons of Japanese ancestry on the West Coast during World War II (with an opening passage declaring that the internment had nothing to do with racism), ruled that women could be prohibited from practicing law (a concurring justice said, "The paramount destiny and mission of woman [is] to fulfill the noble and benign offices of wife and mother. This is the law of the Creator."), and upheld slavery (blacks are "of an inferior order, and altogether unfit to associate with the white race...so far inferior that they ha[ve] no rights which the white man [is] bound to respect").

Sometimes prejudice is so deep-seated that it prevents people, including judges, from seeing groups of other people as fully equal human beings. If President Reagan's political and judicial inclinations are not restrained, we can surely expect continued replacement of the Bill of Rights with right-wing fundamentalist notions of how everyone should live. ■

**David Kairys practices constitutional law in Philadelphia and is editor and co-author of *The Politics of Law*.**

# BOUND



## Sexual privacy and justice, but not for all

By Margaret A. Burnham

**W**HEN IN 1886 SUPREME Court Justice Joseph P. Bradley first claimed constitutional protection for the "privacies of life," he carefully grounded the privacy right to two revered American foundational stones—the republican family and private property. In striking down a subpoena for business records, the justice wrote that the Fourth and Fifth Amendments "apply to all invasions on the part of the government and its employees of the sanctity of a man's home and the privacies of life. It is not the breaking of his doors and the rummaging of his drawers that constitutes the essence of the offense; but it is the invasion of his indefeasible right of personal security, personal liberty and private property."

Since Justice Bradley's time, the Supreme Court has meandered throughout the realm of the privacy right, seeking to define its meaning with regard to sexual expression, procreation, marriage and family life. In a landmark 1965 case, *Griswold vs. Connecticut*, that struck down a statute forbidding the use of contraceptives, the court declared that marriage and family are entitled to protection of "a right to privacy older than the Bill of Rights." And although it is still constitutional to require that people

seeking to conceive be married heterosexuals, the court has extended some of the rights to control procreation to unmarried persons.

But while it has adjusted to changing customs and values, the court has kept close to the view that the right to privacy should undergird, rather than stretch or challenge, the traditional male-dominated family. Grounding the privacy right in this way effectively restricts its reach and transforms it from a liberating legal principle into a defense of the economic and social features of the nuclear family.

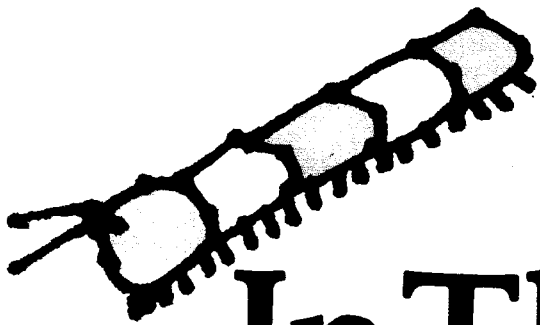
In June the court upheld the state of Georgia's criminal prohibition against sodomy as applied to homosexual sex (*Bowers vs. Hardwick*). That decision served as a stark reminder that, while the court's "fundamental rights" reflecting pool may be stirred by popular movements, it too often reflects back the judges' own images. The right to privacy, which is derived from the due process right to liberty, can only be expressed within full constitutional protection within the male-controlled family.

Clearly, judges and lawmakers decide what makes personal happiness and liberty according to their own experiences and ideals. But the matter is more complicated than that. As feminists argue, there are economic reasons for social support for heterosexuality and male dominance.



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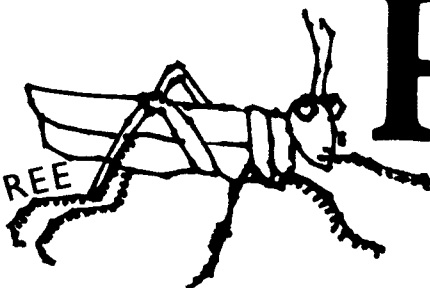
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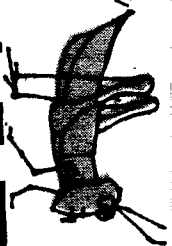
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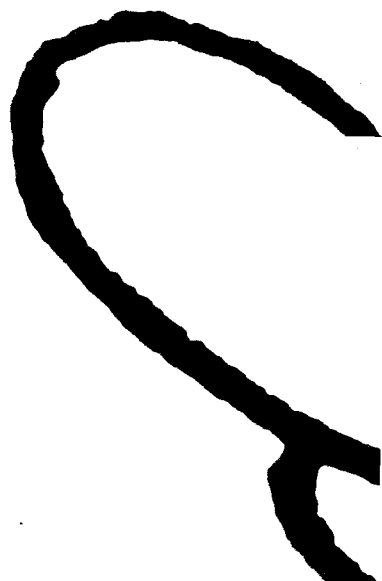
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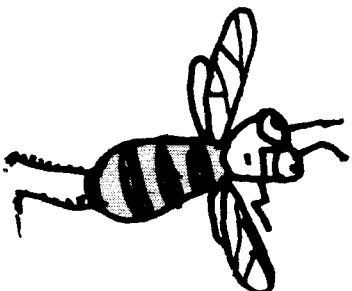


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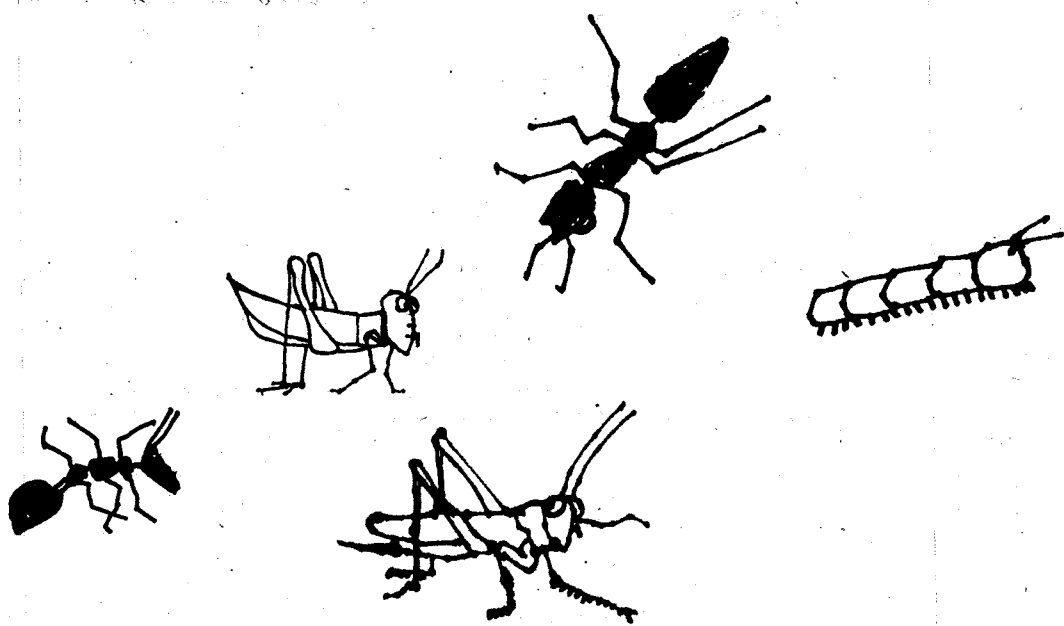
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# Saying no to sexual harassment

By Ellen M. Saideman

**L**AST MONTH, IN A LANDMARK decision, the U.S. Supreme Court unanimously held that sexual harassment on the job violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment. This decision, written by Justice William Rehnquist, whom President Reagan recently nominated for chief justice, is a resounding victory for the women's movement.

When the Court had agreed to hear *Meritor Savings Bank, FSB vs. Vinson*, a shudder of alarm swept through the women's movement. Although every circuit court of appeals that had considered the issue had held that sexual harassment was against the law, in the *Vinson* case, three judges, including Judge Antonin Scalia, whom Reagan recently nominated to the Supreme Court, had suggested that sexual harassment was not the kind of discrimination that Congress had intended to make illegal.

That alarm was completely dispelled when Rehnquist, the most conservative justice, said for the full court, "Without question, when a supervisor sexually harasses a subordinate because of the subordinate's sex, that supervisor 'discriminate[s]' on the basis of sex."

Because the trial court had found that Vinson's promotions during her employment at the bank were based on merit alone and were not a *quid pro quo* for sexual relations, the issue before the court was whether sexual harassment itself, with no relation to a tangible job benefit, was sex discrimination. The bank argued that for sexual harassment to violate federal law, the victim must suffer tangible economic loss.

Justice Rehnquist handily dismissed the bank's argument. Speaking for the full court, he noted that the language of Title VII that bars discrimination in the "terms, conditions or privileges of employment" is not limited to economic loss and that it was Congress' intent to "strike at the entire spectrum of disparate treatment of men and women." The court thus found that employees have the right to work in an environment free from discriminatory intimidation, ridicule and insult.

The Supreme Court also rejected the Justice Department's position, laid out in its *amicus curiae* brief, that the trial court had correctly held that no sexual harassment had occurred because Vinson had "voluntarily" had sexual relations with her supervisor. Rehnquist wrote, "But the fact that sex-related conduct was 'voluntary,' in the sense that the complainant was not forced to participate against her will, is not a defense to a sexual harassment suit brought under Title VII. The gravamen of any sexual harassment claim is that the alleged sexual advances were 'unwelcome.'" The court thus endorsed the Equal Employment Opportunity Commission (EEOC) definition of sexual harassment as "unwelcome" sexual activity.

The *Vinson* case raised two other issues. The first and most important was the extent to which an employer would be held liable for harassment by a supervisory employee. Rehnquist, speaking for the majority, declined to issue a definitive rule on the question, but rejected the circuit court's standard that held employers automatically liable for such harassment. Instead, he said that the rules of agency apply, and whether an employer is liable in a particular case depends on the facts. Rehnquist noted approvingly that the courts have consistently held employers liable for discriminatory discharges of employees by supervisory personnel, "whether or not the employer knew, should have known, or approved of the supervisor's actions." But Rehnquist did suggest that the employer may not be automatically liable in a hostile environment case like

Vinson's. He did, however, specifically note that "absence of notice to an employer does not necessarily insulate that employer from liability," and there is no question but that an employer who knows about sexual harassment and does not act to prevent it will be held liable.

Justice Marshall, joined by Justices Brennan, Blackmun and Stevens, argued in a concurring opinion that the employer should be automatically liable for harassment by supervisory personnel. In a separate opinion, Justice Stevens said that he saw no inconsistency in the majority and concurring opinions. He may prove correct when the court is required to make a definitive ruling.

The other issue the case raised was whether evidence of a woman's dress and publicly disclosed fantasies was admissible in court in a sexual harassment case. The Supreme Court unanimously held that such evidence is not automatically inadmissible, struck the court as minimal.

The court did leave open the question of the extent to which an employer will be but rather the trial judge is to weigh the potential for unfair prejudice against the relevance of the evidence in determining

**"When a supervisor sexually harasses a subordinate because of the subordinate's sex, that supervisor 'discriminates' on the basis of sex."**

whether it is admissible. Thus, the court applied the evidentiary rules set forth in the Federal Rules of Evidence. It is important to note in this context that Title VII claims are tried before judges and not before juries, so the potential for prejudice may have



William Rehnquist

held responsible for sexual harassment where the victim does not lose a tangible job benefit and where the employer has neither actual nor constructive knowledge of the harassment. Future litigation will undoubtedly force the court to clarify its ruling on this point. But it is clear that employers are liable when they know or should know of sexual harassment and do not take prompt action to remedy the problem.

Thus the Supreme Court's decision will provide an incentive for employers to adopt policies prohibiting sexual harassment and to act quickly to remedy complaints of such harassment. By holding employers responsible for sexual harassment they know about, the decision empowers victims of sexual harassment who have previously considered themselves powerless and will encourage them to make complaints.

The *Vinson* case also sets an important precedent for other areas of discrimination law. Applying *Vinson*, it is most likely that the courts will hold that sexual harassment in housing or education violates the laws against discrimination in both of those arenas.

Ellen M. Saideman represented Working Women's Institute in an amicus brief in *Meritor Savings Bank, FSB vs. Vinson*.

## Saying yes to affirmative action

By John Brittain

**I**N THREE SEPARATE CASES THIS TERM the Supreme Court upheld the constitutionality of affirmative action plans, whether ordered by a federal court or voluntarily negotiated. It was an emphatic repudiation of the direct attack on affirmative action mounted over the past several years by the Reagan administration, especially Attorney General Edwin Meese and his assistant, Bradford Reynolds.

Although the Court set limits on affirmative action goals and methods, it decided that race-conscious remedies for a history of racial discrimination could be used to benefit minorities who had not personally suffered discrimination. Some conservatives have argued that only people who could prove they were actual victims of discrimination were entitled to relief. The court ruled that general remedies for past discrimination could be established privately or through court-enforced orders.

In the first case, *Wygant vs. The Jackson (Michigan) Board of Education*, several white tenured teachers were dismissed after a budget crunch necessitated layoffs and black probationary teachers were retained. An affirmative action plan negotiated between the Board and the teachers' union

provided that seniority governed layoffs, but that the percentage of black teachers in the system should always remain the same as the proportion of black students.

The court declared that the plan was unconstitutional, because the goal of proportional representation of teachers to provide role models was not sufficient to justify affirmative action. Also, the court ruled that laying off white teachers with greater seniority was too broadly intrusive to accomplish those goals. But a clear majority approved the use of affirmative action. If the Board had set a goal of hiring more minority teachers to reflect the local labor market as a way to overcome a demonstrated record of prior discrimination in hiring by the Board, a majority of the justices probably would have approved.

Despite the appearance of a defeat, *Wygant*, like *Bakke vs. the Board of Regents* (a 1978 California case in which a white law school applicant successfully argued that he was a victim of reverse discrimination), reaffirmed that race-conscious affirmative action is legal, as long as the institution involved gives a compelling reason and uses the least restrictive means to achieve its goal. The current court, however, does not support making affirmative action plans take precedence over seniority systems used

Continued on page 22

the family. So, too, the legal principles shielding the hearth from the invasive hand of government reflect economic institutions. The contemporary hue and cry among neoconservatives for turning over to private enterprises such public services as prisons and fire protection, and eliminating social services like medical care and dependents' aid, goes hand in hand with the challenge to personal autonomy and choice in matters of sexuality and family life.

The seeming contradiction between the libertarian thrust for "less government" and the repressive attempt to circumscribe personal choices in matters of sex and family disappears when one realizes that the goal is to both expand and reinforce free enterprise. The liberty being sought by the neoconservatives is, in the larger sense, liberty for the profit motive, and the family privacy that they claim to pursue is for the family as a private economic unit, not for its autonomous individual members or for those who choose to live outside it.

### One happy family

Slavery provides a historical example of the relationship between the concept of family privacy and private property. Its defenders were fond of referring to the institution as "domestic slavery," by which they meant to imply that the slaves were a part of a domestic circle headed by the slavemaster that included his wife and children. Indeed, the close quarters and the social and economic interdependence of the plantation's various strata did promote the "one big happy family" image that the slaveholders projected. The law declined to govern the master-slave relationship on two counts: the slave was private property, which was sacrosanct to the 19th-century legal mind,

Continued on page 22



## EDITORIAL

# Tax reform falls short if it doesn't boost equality

What should a tax system do? Despite talk of simplicity and reform, that question has not been adequately answered in the months of congressional tax debate. So the wide support for some variant of House or Senate plans—from Reagan on through Democratic liberals—may lead to a number of understandable knee-jerk reactions. (1) Nothing at all important must have happened. (2) This must be the greatest legislative achievement since the Magna Carta. (3) Something's fishy.

Surprisingly, the bill does include important reforms. More blurry is the message about proper uses of the tax code. Worst of all, there has been a setback for one of the most important tax principles: progressivity.

The current tax structure is a mess that grew worse under Ronald Reagan. Abundant deductions and shelters favor the rich. Corporate tax responsibility has shriveled with no corresponding increase in taxes on individual stockholders. Since 1979 the number of households living in poverty who had to pay income taxes has tripled.

During the '70s, middle-income, working-class families who had once—with the poor—been the bedrock of the Democratic Party found themselves boosted by inflation into higher tax brackets, inducing a tax revolt that helped lead to the election of Reagan—but with minimal benefits for the beleaguered blue- and white-collar workers. As Social Security payroll taxes soared and states and localities had to raise property and sales taxes, the limited progressivity of the tax code was further under-

mined.

As the U.S. economy sputtered with stagflation, the tax code was repeatedly assaulted to provide stimulus to business. Yet every tax break for some deserving end was expanded to benefit the undeserving. For example, an inheritance tax reform to help preserve family farms was turned into general gutting of inheritance taxes. Increasingly investments were made with an eye to tax advantages above all else, which helps to explain the glut of big-city office and commercial space while U.S. manufacturing often begged unsuccessfully for investment.

But as various studies have shown, especially those of Citizens for Tax Justice, breaks for business have not led to increased investment and employment in general. Furthermore, there has been no correlation for individual corporations between investment and taxes: the least-taxed have often invested most and vice-versa.

## Loopholes at bay

The two bills now being meshed together have admirably broadened the tax base, otherwise known as filling the loopholes. Both bills eliminate the investment tax credit, impose minimum corporate taxes and make accounting changes that would raise considerable income. The Senate bill takes a giant step forward in prohibiting the use of losses from passive investments to offset other income—such as doctors syndicating shopping-mall or cattle-feed-lot investments as tax shelters. The House

bill cracks down on defense contractors who defer taxes until contracts are completed, restricts overseas tax havens, returns to pre-1981 rules taxing bank reserves held to cover bad loans and tightens the now unrealistic depreciation rules. If the best features of both bills were combined, the legislation would greatly expand the tax base.

The changes move the tax code away from trying to fine-tune the economy's direction. Conservative free-marketeers like the idea of a "level playing field," where the market will sort out winners and losers with no help from the tax man. But many on the left have long criticized the use of tax expenditures to steer the economy as costly, ineffective and unfair. The market often failed in the past, however, and will fail again to deliver what we as a society need. In the future, the government should rely on more conscious planning, such as credit allocation, direct subsidies, social contracts, regulations and straightforward public ownership and investment rather than tax breaks.

Elimination of individual deductions has also broadened the tax base. The Senate bill takes less from business, more from individuals—eliminating most Individual Retirement Accounts (IRA), making state sales taxes non-deductible, cutting deductions for consumer interest, cutting medical and other personal deductions. Both houses eliminate the two-earner deduction—introduced to reduce the "marriage penalty." That will hurt the growing number of families where husband and wife work. Some of these provisions have fueled the drive in the House-Senate conference committee to provide more relief for the middle class.

But restoring any of those deductions—especially the popular IRA, used by only 8 percent of tax filers with incomes less than \$30,000—is far less important or desirable than the issue of tax rates. While both bills take more than six million poor families off the tax rolls and increase effective corporate payments, they really do little more than return burdens on the poor and the corporations to pre-Reagan levels.

## Fishy rates

The fishy smell begins to emanate from the tax rates. One clue: Reagan appears ready to accept any legislation as long as the top rate is below 30 percent (compared to the current 50 percent). The House plan has four rates, but in the two-rate Senate plan everyone—from truck drivers and schoolteachers to polo-playing millionaires—pays the same 27 percent rate on annual income more than \$29,300. The Senate bill, however, has one major advance in progressivity over the House: capital gains would be taxed at the same rate as ordinary income. (Originally in the U.S. only investment and corporate income was taxed.) Democrats will be tempted to reduce capital gains taxes in exchange for higher rates. That would be a gross error. Instead they should stick with equal taxation for capital gains even at higher rates, adjusting for inflation to tax real gains. At the same time, they should tax unrealized capital gains fully at death, ending a major loophole transferring wealth between generations.

The committee's most critical decision will be whether slightly higher rates are imposed for the rich, giving relief for the middle class. Some changes are expected, but even these will probably offer small comfort. Law professor George Mundstock observed that it is particularly perverse to think that just because some tax breaks were taken away from the rich that they should then be given lower rates: "Those tax breaks were not enacted to help the rich.... This is like saying that a cut in the defense budget requires welfare for defense contractors."

In a similar vein, Sen. George Mitchell,

the Maine Democrat who tried to insert a 35 percent top rate, criticized the Senate bill as "a strange version of Robin Hood—take from the rich with shelters and give to the rich without shelters." *Tax Notes* quotes two unnamed observers as saying, "The Senate bill would ratify the distortions of the current system and asks nothing in return," and "It's a supply-side fantasy. Big cuts for the rich, with bones thrown to the middle class and the poor."

A Congressional Research Service study compared two indexes of progressivity. By one index—the degree to which higher income levels are associated with higher average tax payments—the House bill is slightly better than the Senate bill. And both are better than current law, which is about the same as Reagan's original plan. But by the standard of which system makes the after-tax distribution of income more equal, both bills are about the same as current law, whereas Reagan's plan would have been much more regressive.

Former Harvard professor Richard Musgrave, a veteran tax expert, also argued that if revenue from the new rates were properly compared with what would be collected if the old rates were applied to the newly broadened tax base rather than with what is now collected, "we then see that the Senate Finance bill truly represents a very sharp reduction in the taxes of high-income earners." The emerging tax bill does more to shuffle taxes within income brackets than it does to redistribute tax burdens and income.

When we remember that the U.S. tax system is among the least progressive of industrial nations and is linked to one of the least generous social welfare systems, the lack of improvement in progressivity is a deep flaw—one that goes a long way toward explaining its acceptability to so many disparate interests. Tax simplification never required reduction of top rates or a move toward two rates. Liberal defenders of either bill often say that the old system wasn't progressive anyway, and besides, that is the political price we have to pay for eliminating loopholes. But the danger is that the principle of progressive taxation is now being undermined and stripped of its legitimacy. At the same time, the old trend away from progressivity is locked in place.

The tax system should finance government. It is best if it is simple and fair—and seen that way by most people. It should be progressive, not only because the rich have greater "ability to pay" but more fundamentally because there is an overriding public interest in a democracy to reduce inequality.

Inevitably the tax system will affect the economy. If tinkering through tax breaks has proven a bad idea, overall adjustments in tax levels can still be part of fiscal policy management. But we should beware of the same free-marketeers who deplore government and tax-code interference in the economy who are also defending top tax rates below 30 percent as "pro-growth." First, historically some of the strongest economic growth has come from countries with high taxes. Also, other policies are far more likely to stimulate the economy than letting the rich avoid taxes.

One would be an even more progressive tax that would redistribute income to compensate for declining real income of the vast majority of Americans—a drop of 6 percent in median household income since 1973. The problem for U.S. business is not as much finding capital, although lower interest rates would help, as it is selling—and satisfactorily making—its goods.

Progressive taxation is thus politically and economically desirable. Despite the worthy reforms in the two current tax laws, they make little or no progress toward this key goal.

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## LETTERS

## ACLU dissents

**P**EGGY DENNIS UNFAIRLY CHARACTERIZES the American Civil Liberties Union (ACLU) when she claims "...in the '50s the ACLU refused to defend dissent rights of Communists and instead joined the witch-hunting pack" (Letters, *ITT*, June 25). Undoubtedly, the McCarthy era was not ACLU's finest. Most notably, ACLU attorney Morris Ernst played footsie with Hoover, swapping ACLU internal records for a place in J. Edgar's good book. And ACLU is rightfully ashamed that in 1940 the Executive Board expelled from its leadership ranks Communist Elizabeth Gurley Flynn (a decision posthumously rescinded in 1976). But to say ACLU "joined" the McCarthy crowd is just wrong.

Throughout the witch-hunting years, ACLU defended the constitutional rights of all dissenters—including Communists—in this country. To cite only a few examples, ACLU twice sued to challenge the mandate of the House Un-American Activities Committee. ACLU published the first exposé of blacklisting in Hollywood and challenged the Federal Communications Commission licenses of blacklists. ACLU defended Communists' right to print and distribute literature, to practice law, to receive their veterans' disability checks and to remain in the country. From the time of the introduction of the Smith Act in 1940, ACLU always opposed the act as unconstitutional. Yes, it's regrettably true that many ACLUers felt obligated to precede their defense of Communists with a recognition of the "conspiratorial nature" of the movement. Nonetheless, ACLU's actions were to defend the dissent rights of Communists, and ACLU most certainly did not join the witch-hunters.

More important, ACLU has grown and strengthened over the years, and is better able to defend the Constitution today. And while some may feel "compelled reluctantly to acquiesce to an ACLU defense of the dissent rights of right-wing, reactionary bigots," that defense is essential. For it's only by protecting the rights of these "sons of bitches" that we protect dissent rights for the rest of us.

Stuart Comstock-Gay  
Executive Director, Maryland ACLU

## Sweat shops and sex

**T**HE CONFLICT IMPLIED BY YOUR EDITORIAL (*ITT*, June 25) between freedom of speech and pornography is not so "knotty" from a female perspective. If we consider that pornography is primarily visual and real human beings, women and children, are often used in actual sex scenes, the phony status of pornography as free speech is clarified. It would seem that a socialist editorial writer would consider also that the pornography industry is an extremely profitable one, organized by men, for male consumers, and that its employees are poor women or captive children.

Your editorial exemplifies pornography by a "best case," a multi-million-dollar, culturally-approved business enterprise: *Playboy*. But what is even this bland, conventionalized form? In fact—the raw material of the product is, like the sweatshops, poor girls who engage in it for economic survival. The product is "girls," dressed as bunnies with tails, entertaining affluent men. Or young women whose livelihood depends on photography of their private parts. However, pornography is not merely or mainly *Playboy*, but a vast, covert industry in child pornography and the public market in sado-masochism, the dominant type in the newsstands I have accidentally surveyed.

You also seem to equate "obscenity"

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with "pornography" and aver that "sexual expression" (whatever that means) is no different from political and religious expression, muddling the issue further. In fact, verbal or visual denigration of or incitements to violence against recognized ethnic, political and religious groups or minorities is proscribed in our law and custom. Women have not been so protected.

Claire Lindegren Lerman  
Nashville, Tenn.

**David Moberg replies:** *An important distinction between speech and action lies at the heart of First Amendment protections. People employed by the pornography business deserve strong legal protection from abuse and exploitation, but then so do people in other businesses (some of which exploit women as much and pay far less under real sweat-shop conditions). But that will not—and should not—be accomplished by attempting to censor words and images, most of which are "bland [and] conventionalized" and not violent, hard-core images. In any case, neither law nor custom proscribe denigration of "recognized" groups. Our tradition—and law—of free speech indeed permits that, in general, as the price we pay for free expression and debate (see preceding letter). But we can deplore and criticize attacks or incitements against such groups, including women.*

## Guatemalan belt-tightening

**A**FTER FIVE MONTHS IN GUATEMALA interviewing union members and leaders, I have a different slant on President Vinicio Cerezo's recently enacted economic package than does William Gasperini (*ITT*, June 11).

Both of the important labor federations in Guatemala have denounced the package as inspired by the International Monetary Fund (IMF)—designed to help the country pay its foreign debt by "tightening the belts" of the middle and working classes. (These federations are CUSG, funded by the AFL-CIO's American Institute for Free Labor Development, and UNSITRAGUA, which includes the more militant unions such as that of the Coca-Cola workers.)

Even Cerezo admits that the package is inflationary—in a country that experienced 35 percent inflation last year. Prices of basic foodstuffs such as corn, beans and rice have doubled or tripled since Cerezo removed price controls soon after taking office in January. High prices led to riots across the country in April.

Devaluation of the quetzal will indeed "increase private sector income"—that is, of the agro-exporters (coffee, sugar and cotton). By changing the rate at which they are paid for goods sold abroad they

reap a windfall that will be only partially offset by new taxes. Additional income to these plantation owners is estimated at \$65 million in the first year.

The package as Cerezo initially proposed it said that private employers should grant employees a \$17 per month wage increase. After "*concertación*" (Cerezo's new buzz word) with business leaders, this was changed to a recommendation that employers give raises if they could afford them. Union leaders expect this to produce exactly nothing.

Politicians in Guatemala have been stunned at the speed with which the Christian Democrat Cerezo has adopted economic measures that the right might have blushed to impose. Apparently Cerezo's idea is to encourage the plantation owners so that they will invest rather than speculate. Progressive leaders are doubtful about this strategy, however, especially when its short-term consequences will fall so heavily on the working class and unemployed. Guatemala's ruling class is not known for its willingness to sacrifice for the national good—currently only 8 percent of government revenues comes from income or capital gains taxes.

Perhaps the most glaring fact about Cerezo's economic policy is that it does not even mention land reform in a country where 2 percent of the population owns 70 percent of the land. The only long-term solution to Guatemala's grave economic crisis is to lessen the dependence on exports and create an internal market by giving land to the peasants and jobs at decent wages to the workers. Cerezo's package strengthens the traditional export orientation of the economy.

It is also indicative of which way Cerezo is leaning in his "delicate balancing act" that he has consistently opposed repeal of the decree passed by the outgoing military government which grants army officials amnesty for all crimes committed under their administration. The Mutual Support Group (GAM)—90 percent of its 1,300 members are Indian women whose husbands, sons or brothers have "disappeared"—has denounced Cerezo for this stand.

Jane Slaughter  
Detroit

## AIDS: a women's issue

**I** WAS INITIALLY PLEASED TO SEE THE LONG article on "The Cost of AIDS" by Rex B. Wingerter (*ITT*, May 28). As a long-time reader, I have come to rely on this paper for news coverage that is both in-depth and free of the distortions prevalent in the mainstream media. However, my enthusiasm faded rapidly as I realized that in its treatment of women and AIDS, this article is no more informative nor accurate than the local daily.

While most of the people with AIDS in this country are men, more than 1,200 (7 percent of total cases) are women. Wingerter minimizes the role of heterosexual transmission of AIDS in citing Center for Disease Control estimates that less than 1 percent of AIDS cases are men who have been infected via heterosexual contact with women. What of the 17 percent of cases of women with AIDS that resulted from heterosexual contact with an infected man? What of the widely supported belief that women are much more likely to contract AIDS from men through heterosexual contact than vice versa?

Also, with more research Wingerter would have found that there is no substantive evidence that prostitutes are a significant source of transmission of AIDS to the heterosexual population. In fact, prostitutes are more likely to contract AIDS from a client than the other way around. Prostitutes have served as a convenient scapegoat, as have gay men, for those who choose to portray AIDS as a "deviant" disease.

Also, no mention is made of the fact that a full 80 percent of women with AIDS are of color. Nor is there discussion of the sexism involved in the allocation of research funds. As a paper which is purportedly expanding its coverage of women's issues, *In These Times* has an obligation to tell the whole story. AIDS is a women's issue.

Laura Giges  
Santa Cruz, Calif.

## Berkeley leaders

**I**N YOUR ARTICLE TITLED "BERKELEY'S NO-iguera bucks '80s image" (*ITT*, May 28), you have once again distorted the record of political activity at U.C. Berkeley by promoting the misleading notion that those who have opposed a confrontational stance toward the University administration and its support of apartheid have "led" or "built" the movement. While we respect Pedro Noguera's commitment and intelligence, anti-apartheid activists on campus know that he has consistently opposed those "headline-making protests," that he has attempted to cool out "fervor" that others have revived and that he has tried to stop those "angry marches." To attribute the success of the anti-apartheid movement (or the Free Speech Movement celebration) to Pedro's charisma, organizing or politics is totally false.

Steve Masover  
Billy Nessen  
Ben Robinson  
Berkeley, Calif.

## No foreign priest

**W**ILLIAM GASPERINI, IN HIS ARTICLE ON Nicaragua's divided church (*ITT*, April 16), erroneously identifies Miguel D'Escoto as "a foreign priest." Miguel is a Nicaraguan by birth. His father was a diplomat in the foreign service of the Somozas. He is a foreign priest only in the sense that he lived many years outside of Nicaragua and was ordained a priest in the U.S.-based religious community called Maryknoll.

Fred Ziertzen  
Oakland, Calif.

## SYLVIA



by Nicole Hollander



By David Bensman

**W**HEN PRUDENTIAL Bache economist Edward Yardeni addressed the annual convention of the American Iron and Steel Institute in New York on May 24, his advice was stark and simple: your best hope is collusion, he told the steelmen. Discuss how you can close down excess capacity and raise prices, Yardeni said, because there's no other way the steel industry is going to revive.

Collusion is illegal, but if the spirit of J.P. Morgan were to return, and steelmen were to revive the "gentlemen's agreements" of an earlier era, their actions would be understandable, for theirs is a desperate situation.

Consider the case of Donald Trautlein, whose resignation as chairman of Bethlehem Steel on May 31 was treated by the *Wall Street Journal* as a joke. His fatal flaw? Believing optimistic projections of his company's economists, Trautlein reinvested his company's earnings to modernize steel production. He also wasted his time lobbying Congress and the Reagan administration to protect the steel industry from subsidized imports.

Unfortunately for Trautlein and America's steel industry, the "Reagan recovery" never brought domestic steel sales up to projected levels: steelmakers shipped nearly 20 percent less steel in 1985 than in 1981. Why? The defense industry boom didn't consume much steel, and the strong dollar not only made imports of steel and steel-containing imports like cars and machine tools cheap, it also made America's exports expensive. Demand for domestically-produced steel has

## How to escape steel's quagmire

remained low, and steel prices are still 8 percent below 1981 levels.

U.S. Steel's David Roderick had a different vision. A trained financial analyst, Roderick saw clearly from the beginning of his reign in 1979 that steel production was unlikely to yield the profits other enterprises took for granted: steel's average profit rate was 7 percent, while the average for manufacturing as a whole was 15 percent. So Roderick began to sell off the vast reserves of coal, iron ore and land that J.P. Morgan had amassed when he put "The Corporation" together in 1901. And with the billions of dollars Roderick obtained from those sales, he bought into what looked like a more promising market: oil.

When OPEC collapsed, an oil glut turned U.S. Steel's acquisition of Marathon Oil in 1982 and Texas Oil and Gas in 1986 into sad jokes. U.S. Steel took a \$351 million charge in just the first quarter of 1986 to write down oil inventories. Roderick now acknowledges that his company is reappraising the long-term outlook in oil and gas. That's why U.S. Steel—now USX Corporation—is dropping the word "Steel" from its name. In short, Roderick's policy of diversifying is proving as disastrous as Trautlein's attempt to modernize.

Roderick and Trautlein are not alone. Armco diversified into insurance and almost went bankrupt; Inland's modernization has produced only red ink; and LTV's much-applauded takeover of Republic Steel produced a crippled giant. Neither those who tried to "take on" the foreign competition nor those who fled the field have much to show for their efforts.

### Will steel rise again?

Emblematic of the industry's woes is a cold-rolling mill that Inland Steel would like to build at its East Chicago, Ind., plant. The mill is based on advanced Japanese engineering, and Inland even plans to build the mill in partnership with Nippon Steel, a Japanese company. If it's ever completed, the mill would be the sole domestic supplier of high-quality sheet steel for the auto industry, and General Motors has already indicated strong interest in the mill's output. Nevertheless, the rolling mill may never be built. Inland is broke, and no lender wants to lend an unprofitable, highly indebted steel company hundreds of millions of dollars.

Without projects like Inland's cold-rolling mill, American steel will never be able to compete. But some steel companies, like Inland and Bethlehem, are losing the ability to make such investments. And others, like U.S. Steel, no longer have an incentive to make them. Is domestic steel production doomed?

Many analysts argue that steel will revive. Decreased oil prices are cutting production costs, and the strong dollar is boosting the price of imports—not just imported steel, but also Japanese cars containing Japanese steel. Furthermore, the Reagan administration promises that its Voluntary Restraint Agreement (VRA) program, announced in September 1984 (to nullify Democratic attacks on the president's free trade position) will finally begin to make a dent on subsidized imports. Eventually, these optimists believe, costs should fall and prices rise, and America's steelmakers should be profitable once again.

But steelmakers like Donald Trautlein have been singing this refrain for three years only to be disappointed again and again. For example, hopes that the president's VRA program would cut steel im-

ports to 20 percent have already been dashed. U.S. trade representatives have negotiated agreements that would permit imports to take 24 percent of the market. Moreover, Ed Yardeni believes, there's such a glut of steel capacity in world markets that lower oil prices, stronger dollars and VRA's together will not be enough to rescue steel unless significantly more mills are shut down.

Now is the time any sane administration would step in to save the U.S. steel industry. Just a bit of encouragement—such as federal funding for research and development, strict enforcement of trade laws against dumping, firm resolve to bring down the dollar, and loan guarantees for modernization projects like the Inland cold-running mill—and the steel industry could make profits once again.

The United Steelworkers of America (USW), caught in difficult negotiations with U.S. Steel, is promoting just such a program. Last winter union negotiators demanded as a pre-condition for the concession bargaining to come that the steel companies agree to cooperate in a lobbying campaign to enlist federal support for the steel industry. All but U.S. Steel agreed to do so. Subsequently, money from the USW and the steel companies paid for ads in newspapers throughout the country calling on Washington to save steel and other basic industries. Then on June 21 "Save American Industry and Jobs Day" rallies were held in union halls in 65 cities.

### The union's plan

The USW's program for saving steel—the focus of the nationwide event—is remarkably sensible, as far as it goes. It includes implementing the VRAs to hold steel imports down to 20 percent, restricting indirect metal imports through legislation giving priority to U.S.-manufactured products and rebuilding the nation's roads, tunnels, bridges, dams and other public structures. Such public investment would boost demand for steel.

The USW's program is a step forward from previous efforts that treated the steel industry as a special and separate problem. On "Save American Industry and Jobs Day" the union and its invited guests made it clear that steel's future is inextricably linked to the future of other manufacturing industries.

What the Steelworker program lacked was a framework that would join its separate planks together. For example, federal action to restrain imports makes no sense if steel companies use their profits to diversify into other industries. Explicit *quid pro quos* would have to be part of any effective program to save steel. Further-

more, it would make little sense for the federal government to enforce the VRAs, thereby forcing steel-using manufacturers to pay higher prices for steel, if at the same time the federal government continued to dump hundreds of billions of dollars into high-tech military products. They consume little steel but spur other industries to grow, usually capital-intensive industries that employ few workers. In short, the Steelworkers' program should be part of an industrial policy.

Although conservatives denounce the idea of an industrial policy, the Reagan administration is carrying out an unannounced industrial policy of its own, and it's one that is forcing corporate America to abandon industrial manufacturing. High tech and financial services, on the other hand, will benefit.

Consider tax reform, the administration's major domestic initiative, for example. In the name of simplicity, and fairness, the new tax bill eliminates the investment tax credit, which will make it much more expensive for capital-intensive firms to finance new plants and equipment. Lower corporate tax rates will help high-tech firms and banks, however. Similarly, the administration's dogmatic adherence to its first economic principle, "free trade," renders enforcement of our trade laws ineffective. It's true that the "free trade" policy will make it easier for IBM to export computer technology and for Citicorp to expand its financial web in Europe. But steel, autos, textiles and farm equipment are being sacrificed on the altar of economic principle.

Finally, there is the military buildup. Hundreds of billions of dollars are being diverted from the civilian economy, where it might be used to make cars, build bridges or repair highways—all activities that consume large quantities of steel—and the money is being used instead to build high-tech weapons. And the federally-funded research that makes such weapons possible is quickly spun off to civilian uses by high-tech firms, while steel companies cut back on their research funding annually.

In short, the Reagan administration's unannounced industrial policy drives nail after nail into the coffin of steel and other heavy industries. Despite the fact that current economic conditions offer the steel industry hope for recovery, the federal government's economic programs are closing that "window of opportunity." Donald Trautlein is gone, but his nightmare lingers on.

**David Bensman** teaches labor studies at Rutgers University and is co-author of *Rusted Dreams*, a forthcoming book on the steel industry.

BLACKLISTED NEWS

No other book to date conveys the atmosphere—the people, places and events—which turned those dreams and schemes of the 1960's into the unbelievable realities of the 1980's.

The immediate post-war era was an exciting time to be alive. The CIA waged secret wars in Jamaica. In South Africa, mass riots drew the attention of the world. Washington rocked with demonstrations, protests and smoke-ins. The women's movement gained full momentum. Long hair turned into spiked hair. Native Americans had the Black Hills blown wide open, while anti-nuclear protesters hoped Diablo Canyon wouldn't be.



### BLACKLISTED NEWS

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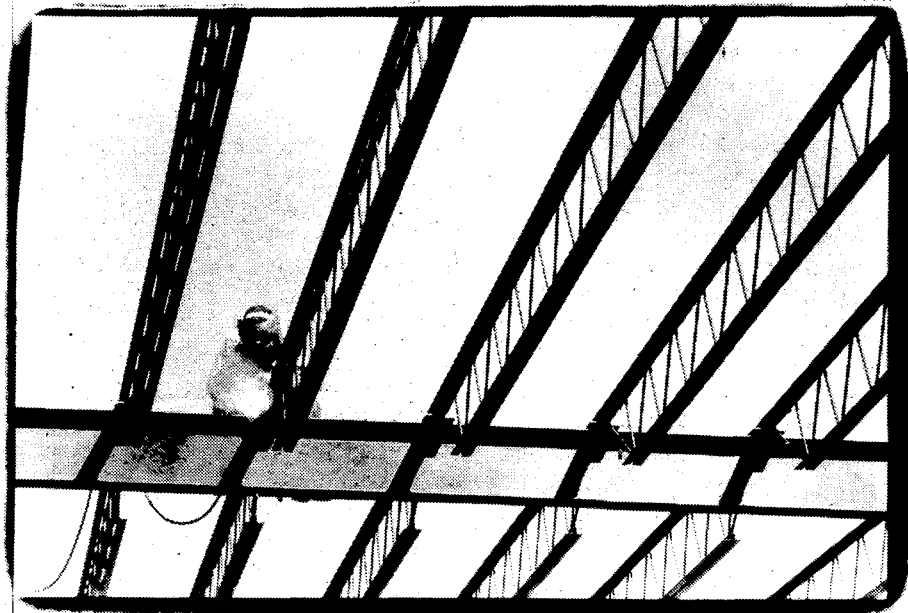
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# ASHES & DIAMONDS

By Alexander Cockburn

## Give Me Liberty, Give Them Death

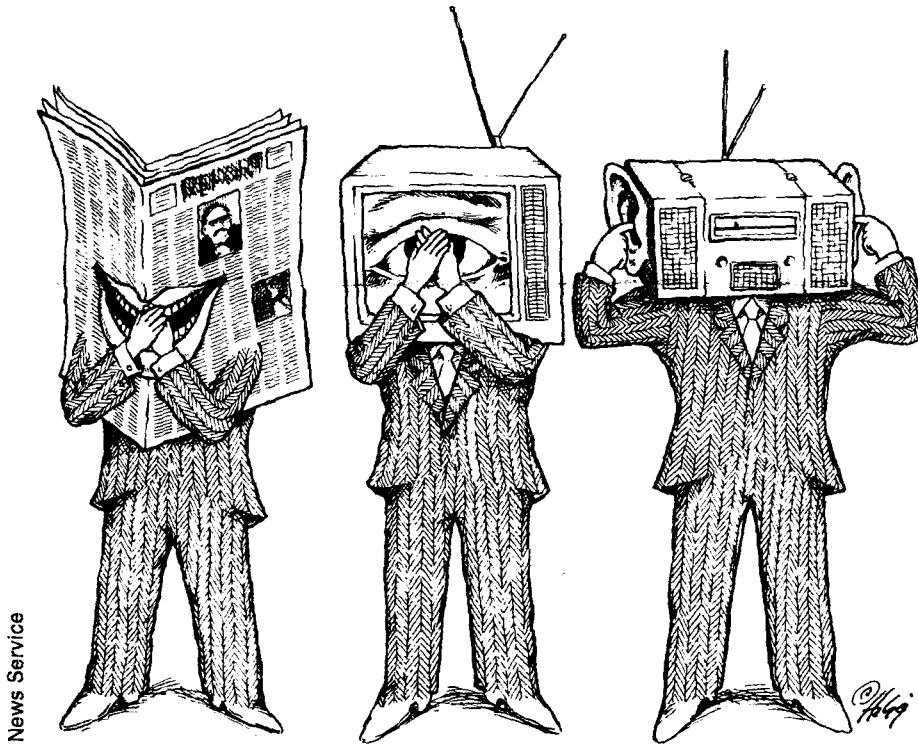
Shortly after 10 o'clock in the morning of July 3, a truck headed along a muddy little road from the Nicaraguan village of San Jose de Bocay, about 30 miles from the Honduran border and 160 miles northeast of Managua. The truck carried 33 people, all of them civilians, including 12 women and 12 children (of whom two were infants). Thirteen of the passengers came from the family of Castillo Lopez. The land mine that detonated under the truck killed 32 of the passengers instantly, blowing their bodies into the surrounding woods and leaving only a portion of the engine block intact. One person survived. The shock wave from the blast was felt in villages 15 miles away. Soldiers of the German Pomares unit of the Nicaraguan armed forces, hastening to the scene from Jinotega, were unable to find a detonating device. Nicaraguan officials later said they reckoned the land mine had been a U.S.-made M15 contact mine.

Consider for a moment what would have been the reaction in the U.S. media if such a land mine had exploded under a busload of Israelis—including 12 children—driving along a road in the northern Galilee. And having made such a consideration, now ponder what *did* appear in U.S. media. On July 3, TV screens and newspapers were saturated with material about the celebration of the Liberty Cult, a series of extravagant rites before an immense graven image erected a hundred years ago in New York harbor. As the Nicaraguan soldiers were picking up fragments of human flesh and bone from the woods on either side of the road from San Jose de Bocay, fragments blown there by a mine placed by men to whom the United States had just given \$100 million, President Reagan gazed at some ancient sailing craft, including a Chilean torture ship, and said, "Perhaps, indeed, the vessels embody our conception of Liberty itself—to have before one no impediments, only open spaces to chart one's course, to take the adventure of life as it comes."

The networks, in the days preceding Liberty Weekend, had not ignored Nicaragua. They had found time to mention the closing of *La Prensa*, and the exile of Father Bismarck Carballo and Bishop Vega. They did not find time to mention the murder of 32 men, women and children by the *contras*. CBS said later that there had been a foul-up and that no film had been available. NBC said that it had been preoccupied with the coverage of Liberty Weekend. ABC said nothing at all. Many newspapers similarly ignored this striking example of state-sponsored, U.S.-exported terrorism. Some ran a brief UPI story. The *Washington Post* and the *Boston Globe* both ran a story from Julia Preston, filed from Jinotega on July 4.

A familiar excuse of TV and newspaper editors for not covering an event is that deadline pressure or inaccessibility of the site prevented adequate reporting. Such excuses are invariably false. If a network or a newspaper wants to cover an event, it will do so, even if it means carrying a picture of Dan Rather talking on the telephone or talking to himself.

Bill Kenkeler of the *National Catholic Reporter* was one person who was stunned by the lack of coverage. He called around trying to find out what happened. Warren Hoge, foreign editor of the *New York Times*, told him, "It sounds to me like I made a mistake. I ran out of here July 3 for a long weekend. How many fatalities?" Kenkeler told him, and Hoge said, "Obviously, that's major. Let me check with Stephen Kinzer what happened to that story." In fact, the *New York Times* had run the UPI snippet on July 4 under the headline, "Nicaraguans Claim 31 Killed," and next to a long Kinzer story about the closing of *La Prensa*. On July 11 it ran



Pacific News Service

another story by Kinzer, presumably the result of Hoge's check. After noting that one of the immediate causes of the expulsion of Bishop Vega had been the failure of the Catholic hierarchy to condemn the explosion, Kinzer devoted himself to the task of trying to suggest that (a) the land mine may have been placed by Nicaragua's own armed forces, and (b)—contradicting the first supposition—"at least the victims of the explosion...were members of the Sandinista militia who may have been wearing olive green clothing." Sources for the allegations quoted by Kinzer included "diplomats" (i.e., the U.S. embassy), "a Latin American diplomat," and "reports circulating in the diplomatic community." Thus did the U.S. media celebrate Liberty.

## The World Court and the Bishop

Coverage of the World Court decision that found the U.S. guilty of violating international law by supporting the *contras* had some predictable convolutions. Here's how Tom Brokaw led off the *NBC Nightly News* on June 27: "Tonight's top story...involves a dispute over international law, the U.S. and Nicaragua. A beginning quote: 'We consider our policy in Central America to be entirely consistent with international law.' That was the Reagan administration response to a ruling of the World Court...." With this sense of news values, Brokaw would have started coverage of the Nuremberg verdicts with a quote from Hermann Goering's attorney.

Media coverage of the closing of *La Prensa* generally ignored the CIA's support of the paper, as well as its \$100,000 grant from the National Endowment for Democracy, a bipartisan project overseen by the U.S. Congress and, in practice, controlled in its daily operations and disbursements by Schachtmanite fanatics from the Social Democrats U.S.A. One may deplore the less-than-adroit timing of the Nicaraguan government in closing down *La Prensa* on a day when U.S. media might otherwise have been entirely preoccupied with the World Court decision. Some remarks by Peter Marchetti, S.J., longtime resident of Managua, quoted in a recent *Update* from the Washington, D.C.-based Central American Historical Institute, are worth considering: "In my opinion, the government didn't need to shut down *La Prensa* for reasons of internal security.... The suspension of *La Prensa* is clearly a message from the Sandinistas to the liberals [in the U.S.]

that [these same liberals] can't allow the Reagan administration to continue shattering international law while demanding that Nicaragua's government behave as if the U.S. were not waging war against the Nicaraguan people."

Coverage of the expulsions of Carballo and Vega was similarly vague as regards what prompted Nicaragua to throw Bishop Vega out of the country and prevent Father Carballo from returning from Miami. Meeting with foreign journalists in Managua on July 3, just as news of the land mine was reaching the capital, Vega justified U.S. aid to the *contras* and said, "The invasion of one side [the U.S.] is legitimated by the invasion of the other side [the Soviet Union], and by not taking into account the will of the people.... The blame for an eventual invasion would be in the hands of those who have sought support from a single bloc." Bishop Vega had recently made trips to Washington at the invitation of the Heritage Foundation and Prodemca, one of the major lobbying organizations behind the drive to win U.S. congressional support for the \$100 million.

## Suffer the Little Children

The use of small children is a standard feature of Reaganite festivities. At one point during Liberty Weekend, Henry Winkler conferred on ABC-TV with a small girl who presented pennies she'd saved while her father, a pilot, had been fighting for "justice" in Vietnam. Assuming her father had been bombing the peasants of Laos and Cambodia—activities which lasted as late as 1975—and assuming that the little girl began saving pennies no earlier than at three years of age, we have to reckon that she could be no younger than 14. The little girl with whom Winkler spoke was a lot younger than 14, which leads us to suppose that the words about her father fighting for justice may not have been hers alone.

Since the president and Mrs. Reagan are fond of reading out messages from small children, they might care to deliver this one on the next appropriate occasion: "Dear Mr. Reagan: Why did you kill my only sister Rafa and my friend Racha, she is only nine, and my baby doll Strawberry? Is it true you want to kill us all because my father is Palestinian and you want to kill Khadafy because he wants to help us go back to my father's home and land? My name is Kinda." This note was given to Charles Glass, ABC's correspondent in the Middle

East, when he was in Tripoli. He printed it in the *London Spectator*. Kinda al-Ghusein, age seven, was buried alive in the rubble of her family's house in Tripoli's Sharieh bin Ashour neighborhood when a U.S. bomb fell on it at 2:00 a.m. on April 15. The bomb killed her 18-year-old sister Rafa, who was home for the holidays from her school in England. Her father, Bassam, is a Palestinian engineer with Occidental Petroleum, and her mother is Lebanese. Both parents are American-educated.

After the public reading of Kinda's letter, Mr. and Mrs. Reagan might care to ask for a minute's silence for the children blown up in northern Nicaragua on July 3, and for the two children, five and 12 years old, who were killed on July 1 when *contras* threw a hand grenade into their home during an attack on the Pan-America Cooperative. The attacking *contras* made the victims' mother get the matches that were then used to burn down the house.

## Double Your Standard

Even at the time of the Soviet nuclear accident at Chernobyl, it was evident that our old friend the Double Standard was hard at work. Now a useful article by Tom Gervasi in *Deadline* makes a thorough review of the record. The Soviets took two days to disclose the accident, which was two days too long. The Western media lashed them for it, and spoke sonorously about Soviet traditions of secrecy.

It took 10 days for the U.S. to tell the world that American servicemen and Marshall Islanders had been exposed to high radiation from the first H-bomb test at Bikini in 1954; it was 45 days before the Atomic Energy Commission announced that a fire had taken place at Rocky Flats in 1969. Two earlier fires at Rocky Flats, one of which involved the release of a quarter of a ton of plutonium, were never reported to the public at all. It took more than a year to disclose the partial meltdown of the Fermi reactor near Detroit in 1966, though officials had secretly discussed the possible evacuation of 1.5 million people. It took 23 years for news to be disclosed of the meltdown that began at Atomic International's Sodium Reactor, 35 miles north of downtown Los Angeles. It took 37 years for the Department of Energy to release news of deliberate release of a radioactive cloud containing 5,000 curies of iodine 131 from the Hanford Nuclear Reservation in Washington state. The cloud ultimately drifted toward Canada, which was not apprised of the situation. Nor were Canadians alerted to partial meltdown of the same facility in 1966.

Contrary to U.S. reports, the Soviets did disclose details of the radiation releases. To this day there has been no satisfactory official data on the radiation released at Three Mile Island. The U.S. press said complacently that at Chernobyl there was no containment building surrounding the core, unlike the presumably safer and "more advanced" U.S. nuclear plants. It finally emerged that the Chernobyl plant did indeed have a containment structure designed to withstand pressures up to 57 pounds per square inch, making it stronger than one-third of all U.S. reactors.

Gervasi makes the important point that a directive from the White House in the wake of Chernobyl had forbidden officials from the Departments of Energy and Agriculture and from the Nuclear Regulatory Commission to discuss the accident. This was to be handled by the newly organized Inter-Agency Task Force. Having thus monopolized all government discussion of the disaster, Reagan's men hammered home the propaganda theme: "[The world] now sees not only how callously the Kremlin has handled this episode, but also, by extension, how dangerous it is to trust their good will on other questions, like arms control."



By Beth Maschinot

**T**HERE'S A RIDDLE GOING around in mental health circles: "What do you call a person who sacrifices excessively for others, feels unappreciated in return and regularly turns down opportunities for personal pleasure?" Well, if a small but influential band of psychiatrists hold sway, that person (usually a woman) is well on her way to a diagnosis of a "self-defeating personality disorder"—a deeply entrenched distortion of the personality that can call for years of expensive psychological treatment.

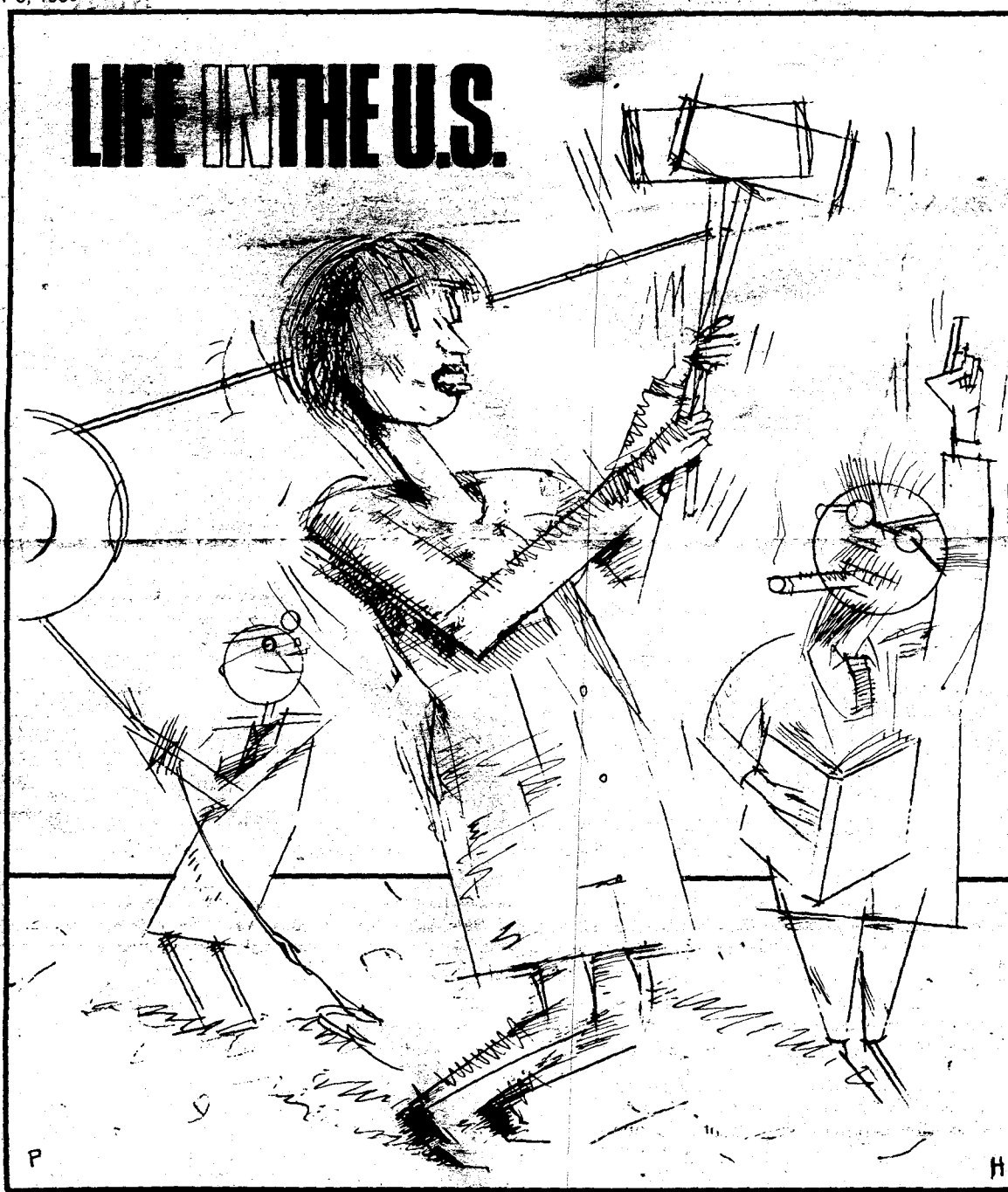
Self-defeating personality disorder is a new diagnosis under discussion for inclusion in next year's revision of the *DSM-III*, the *Diagnostic and Statistical Manual for Mental Disorders*. The final contents of the *DSM-III* will be decided on by psychiatrists from the American Psychiatric Association (ApA), but the *DSM-III* will be used by thousands of psychologists, social workers and other mental health workers as well. It is the diagnostic bible recognized by most courts, hospitals and insurance companies when a determination of mental health is sometimes crucial to settling court cases and insurance claims.

The riddle has other answers, though. A well-organized group of women psychologists and psychiatrists, outraged that the Work Group of the ApA would construct a category that by the psychiatrists' own admission would include mostly women, thinks the riddle's answer is closer to home. "I call a woman who sacrifices excessively with little recognition a mother," says psychologist Lynne Bravo Rosewater.

Before her answer is seen as rhetorical excess—after all, a person is evaluated by nine criteria, of which six have to apply—a quick look at a few of the other criteria is in order. In addition to the three in the riddle, a person with a self-defeating personality disorder often "chooses persons and situations that lead to his or her disappointment, failure or mistreatment, rejects or renders ineffective the attempts of others to help him or her, is surprised that his or her behavior incites angry or rejecting responses from others and fails to accomplish tasks crucial to his or her own goals despite the demonstrated ability to do so (for example, helps others write papers, but is unable to write his or her own)." This sounds startlingly like the Total Woman, or at least the Total Woman gone sour.

These behaviors do exist, say the women at odds with psychiatry's inner sanctum. And they do stunt women's lives. But what causes them? And how should they be treated?

According to the ApA's category of personality disorder, this is a bona fide characterological defect, a deep-seated pathology that begins in early childhood but often doesn't rear its ugly head until early adulthood (around the time many women enter traditional heterosexual relationships, some feminist critics point out). The ApA had originally named the behaviors "masochistic personality disorder" after the Freudian construct of masochism that allies pleasure and pain in early childhood sexual experiences. Many Freudians consider masochism a normative part of female development. The name underwent a



## PSYCHIATRY

# Why women's survival is mentally disordered

quick change, though, when feminist critics cited the theoretical bias inherent in the use of the word "masochism."

But many remain unsatisfied with the nominal change. They say that the cause of the behaviors is not in the pathological development of the woman but in the social inequality between men and women that still places many women in dependent positions at work and home and makes the aforementioned "symptoms" understandable survival techniques. The problem is not faulty socialization, but over-socialization to a sick ideal. Says psychiatrist Elaine Carmen, "Women have always sacrificed their own needs to those of others as part of the socialization to 'proper' femininity. While this is unfortunate, why do we now blame them by the use of a pejorative label?" Instead of years of treatment with the potential of more self-blaming, she says it would be more therapeutic to "recognize and validate the woman's anger and its origins, rather than label it pathological."

And that's only part of the story. Rosewater and Lenore Walker, the head of the Women's Caucus of the American Psychological Association (APA), see battered women as particularly vulnerable candidates for the new label. All nine of the ApA's criteria have special relevance to the "battered woman's syndrome," a term coined by Walker to describe a woman's response to abuse. Psychologists who work with bat-

tered women are quick to cite 1985 research that found that 93 percent of abusive men in the study had more than one violent relationship. Other studies, including Walker's own, show that only 10 percent of battered women have been in more than one violent relationship.

The immediate goal, then, is to get the women out of the abusive situation, a finely orchestrated intervention that often calls for court orders and in which the therapist encourages women to go to battered women shelters and rape crisis centers for safety. The focus of therapy is to help the woman regain the personal power taken by the assailant, not to add psychologically condoned victim-blaming to the list of abuses. Walker's work with battered women suggests that most women who leave the abusive relationship can return to healthy functioning within six months. And she believes that long-term psychiatric intervention, more than a waste of time and money, is potentially destructive.

Bob Spitzer, head of the ApA's Work Group to revise the *DSM-III*, thinks that the feminists are "so enmeshed in the spouse abuse problem" that they can't focus on other women whose "pain and suffering can't be explained away by objective reality." The ApA has tried to circumvent this problem by adding a qualification that would rule out physically and sexually abused women from the diagnosis of self-defeating personality. But Walker says this isn't enough,

that the whole category should be scrapped. "Study after study shows that battered women do not readily tell therapists that they've been abused. Especially male therapists. In many instances, the women have internalized what society has told them—that it's somehow their fault. That's not an easy thing to 'admit' to an authority figure."

To shore up their argument, the feminists point to a sample survey done by the ApA to prove that the behaviors described in the diagnosis do exist. Psychiatric researchers followed 331 clients for 17 months and noted the repeated pattern of the behaviors. When the feminists pointedly asked "How many of these clients were battered?" they were met by silence.

*Women always sacrifice their own needs to those of others as part of the socialization to 'proper' femininity.*

It was a question the psychiatric establishment had neglected to ask, a blind spot that is still the norm for most mental health practitioners.

Misdirected treatment is not the only potential hazard. Custody battles for children, hiring and promotion practices and even self-defense claims for women who fight their assailants can all rest on a psychological diagnosis. Women labeled "self-defeating" would be seen as incompetent on the most basic level. They can't even manage to avoid that which destroys them.

There are three other diagnoses that feminists in the mental health professions are battling over, including "sadistic personality disorder" which was added on by the ApA in an effort to appease the women about the sex-stereotyped category of self-defeating personality (apparently, two sex-specific categories cancel each other out). There is also premenstrual dysphoric disorder, which in effect makes premenstrual syndrome (PMS) a mental disorder. And bringing up the rear is "paraphilic coercive disorder" (changed from "paraphilic rapism"), a diagnosis that feminists fear will give rapists more ammunition for the insanity plea. The feminists are pushing to have these diagnoses junked until more research can be done. And they may be close to being heard. At the ApA's national convention in mid-May, newly elected head Robert Pasnau cautioned that the social and legal implications of the proposed revisions must be considered before they're included in the *DSM-III*. According to Rosewater, this is the first time discussion of social consequences has entered into the psychiatric equation. A final decision on the proposed diagnosis has been pushed back to fall of this year.

The conflict over diagnoses is one battle in a larger war between the traditional psychiatrists and the feminists. The issue was brought into stark relief by a young psychiatrist who marched up to the women psychologists who were picketing the recent ApA convention. "We [the psychiatrists] are the only real doctors here. No one else should use the *DSM-III*." The message: stop trying to define what's health and what isn't.

Feminist therapists are only one group in a long line who've taken on the psychiatric establishment. Into their second decade, they're still the new kid on the block. But their research is mounting, and headed in the direction of the newer currents in psychology: toward a more empirically-based, descriptive and not so rigidly theoretical understanding of human behavior. Though they may not persuade many psychiatrists to see it their way—86 percent of psychiatrists are male, and many Freudian or neo-Freudian—there are other groups more open to a second look at women's mental health. The American Psychological Association recently tipped the 50 percent mark for women psychologists, and the National Association of Social Workers (NASW) has long been overwhelmingly female. The feminists are still pushing for the mental health field to incorporate the most basic insights of feminism into their understanding of women. And since the great majority of therapy's clients are women, the stakes are high.

Beth Maschinot is a former "In Short" editor for *In These Times*.



**A Lesser Life: The Myth of Women's Liberation in America**  
By Sylvania Hewlett  
Morrow, 256 pp., \$17.95

By Joan Walsh

**W**HAT A BOOST FOR American women the publication of *A Lesser Life: The Myth of Women's Liberation in America* could have provided. For months author Sylvania Hewlett has been high profile on local and national talk shows, television news programs and the pages of the *New York Times*, *Newsweek* and *USA Today*. Finally, someone was discussing the nation's obstinate lack of family policy as what it is: a national scandal that confines millions of women and children to poverty.

Yet Hewlett's indictment of American social policy has been obscured by her strong attack on the women's movement. Hewlett contends that by campaigning for abstract equality with men, instead of acknowledging women's special needs as both mothers and workers, American feminists have unwittingly collaborated with the enemy to oppress their unfortunate sisters. Reviews of *A Lesser Life* have featured Hewlett's critique of feminism as prominently as her attacks on the anti-feminist political establishment.

My first instinct, before reading the book, was to blame the media for distorting Hewlett's intent. Surely interviewers and book reviewers had seized on Hewlett's feminist apostasy as good copy—"I Was a Feminist for the FBI" makes better reading than "Why American Women Have Fewer Social Entitlements Than Their Western World Counterparts." But I imagined that her complaints about the women's movement were a small part of the book.

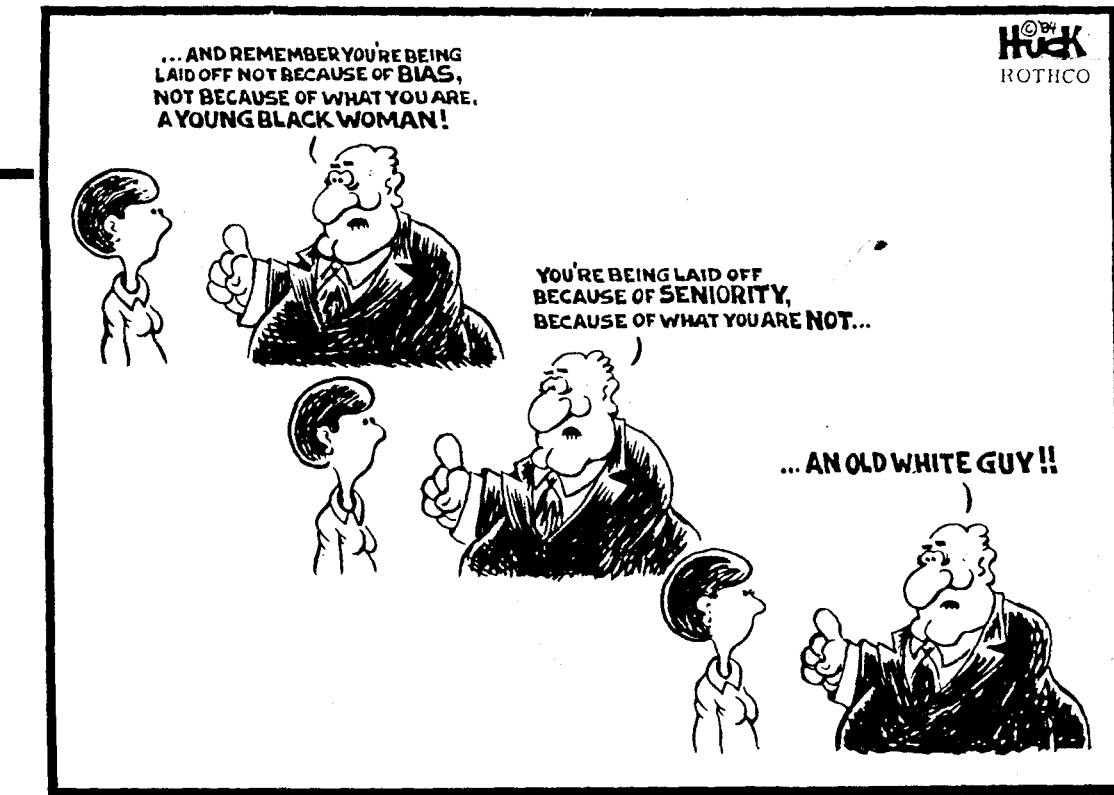
I was wrong. *A Lesser Life* was written to get just the response it received. Reading the book, one isn't sure whom Hewlett holds more accountable for women's deteriorating condition in American society, Ronald Reagan and friends or the leaders of the National Organization for Women.

#### Eroding financial security

Hewlett accurately defines the plight of American women today: "They have lost the guarantees and protections of the past—marriage has broken down as a long-term and reliable source of financial security—and at the same time they have failed to improve their earning power as workers in the labor market." She delineates the causes of women's increasing economic vulnerability: the inequities caused by "the divorce revolution," the wage gap between men and women and the fact that children are still primarily the responsibility of their mothers.

While she points to occupational segregation as one cause of the wage gap between men and women, Hewlett also gives some credence to the "conservative" explanation for pay inequities—that women invest less in their careers, and interrupt them more frequently, because they choose to have children. The average woman takes a nine-year break from the labor market for family responsibilities, Hewlett notes, and credible studies have managed to link 25 to 44 percent of the wage gap to occupational tenure—men are accruing seniority while their female colleagues are having and caring for children.

Hewlett shifts the onus for those



## WOMEN

# Critique of family policy winds up blaming the victim

"career choices" from individual women to society at large. In Europe, the wage gap between men and women is much smaller—women earn 86 percent of what men do in Italy and Denmark, 81 percent in Sweden, 78 percent in France and 73 percent in West Germany, compared with 63 percent in the U.S. Hewlett attributes the narrow European wage gap to social and family support systems in those countries that allow women to be both mothers and workers.

Most European women, for instance, are entitled to months of paid maternity leave, child allowances and subsidized day care. And though divorce is less common than in the U.S., women are better protected from that economic catastrophe as well. In some countries a woman's post-divorce income may actually go up, because single heads of households are taxed at a different rate and entitled to various social supports.

#### Corrective agenda

For Hewlett, the necessary corrective agenda is obvious: American women need job-protected maternity leave, child care, flex-time and "tailored career ladders." Most feminists today would agree. Where consensus breaks down is over how best to achieve those goals.

Hewlett blames the American women's movement for focusing on equal rights for women, at the expense of social supports that would allow them "to carry their double burden in the home and in the workplace." Reviving the historic battle between proponents of "equal treatment" and backers of special protection for women, Hewlett contends that the deteriorating economic status of American women has proved that the special protection advocates were correct: women need more than equal rights.

But in her enthusiasm to trash feminists, Hewlett undermines her own case. Her emphasis on European social policy is useful and rare in a popular, unscholarly work. But her comparisons miss at least two crucial points. For one thing, Hewlett doesn't discuss the concern over falling birthrates that

forced European nations—particularly France—to devise policies that would reward and encourage childbearing. But more significantly, she ignores the fact that European women have many more social entitlements than American women because European citizens do generally. Workers, seniors, students, the disabled—all have enviable entitlements by American standards. Feminism can't be blamed for American hostility to the welfare states, except in as much as, like all American reform movements, it overemphasizes equal opportunity as a panacea for economic discrimination and exploitation.

Most importantly, Hewlett's eagerness to discredit the women's movement makes her miss the logical conclusions of her own work. Her insistence that "equal treatment in the workplace has to be supplemented by family support systems if women are to improve their economic position" is irrefutable, and she's on the right track by consistently referring to the necessary policy as "family support." Child care, flex-time and other necessary reforms must not be ghettoized as "women's programs."

Yet she undermines her own case for "family support" policy in her effort to blame the women's movement for ignoring childbearing and family issues. Arguing for the right to maternity leave, which the women's movement has preferred to frame as "parenting leave," she asks: "Does NOW realize that women are not men? It is true, only women have babies; it is both the privilege and responsibility of the female sex." With that rhetorical excess she misses her own point—responsibilities for childbearing and rearing must be socialized, and arguing for special legislation for women-as-mothers, however well-intentioned, moves in the opposite direction.

Hewlett goes on to attack the campaign for the Equal Rights Amendment on similar grounds. Though she began as an ERA supporter, she wound up sympathizing with its opponents: "The more I understood about this piece of legislation, the less I supported it."

In reality, as Jane Mansbridge has outlined in her forthcoming "Why We Lost the ERA," the amendment's passage would have had few practical effects—the value of its adoption would have been mainly symbolic. But Hewlett apparently opposes its symbolic dimension as well.

#### Feminist missteps

Certainly the women's movement has tripped up on issues of children and family, not recognizing that the right to have a child was as

important to many women as the right not to. Safe, licensed child care should have been right up there with safe, legal abortion on the movement's social agenda.

Yet feminism's demand that women have more options than being wives and mothers was a crucial one, and helped lay the groundwork for the social policy that Hewlett backs. Once again, she ignores the conclusions her own work seems to indicate. In several excellent chapters she outlines how aberrant the '50s were in terms of women's roles and expectations. The post-war decade, she notes, saw the first declines in the number of women earning college and post-graduate degrees, as well as working in the manufacturing sector. At the same time, childrearing was elevated to an all-consuming career, as child-development theorists emphasized the opportunity and responsibility inherent in mandatory full-time motherhood.

If the feminist movement of the '60s and '70s went to social and sexual extremes, perhaps that was inevitable given the narcotic of home and motherhood women had swallowed in the '50s. After all, women had to be liberated from compulsory marriage and childbearing before they could demand social support for choosing those options, as Hewlett believes they must. But her vendetta against the women's movement blinds Hewlett to the complicated relationship between feminism and the society it seeks to change, and thus flaws what could have been a major contribution to the ongoing family policy dialogue.

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# MEDIA BEAT

## Your Message Here

Advocacy ads have been touted as the free market's answer to on-air controversy, but results from both left and right are mixed so far. Even when broadcasters can collect for the trouble, issues make them nervous. And sometimes they don't even get the chance; networks decide for them, as conservative businessman J. Peter Grace discovered. He's frothing at the mouth on the op-ed pages of major dailies over network rejection ("too controversial") of his ads criticizing the national deficit. The network shutout led him to celebrate the fact that the airwaves are public, and that broadcasters—not the networks, their program service—are charged with serving the public interest. Grace's outrage has netted more coverage of the issue than the work of many public interest groups has, but some of them have been winning battles. After Chernobyl, the atomic energy industry's PR arm, the U.S. Committee for Energy Awareness, got networks to accept their broadcast ads "showing" that a Chernobyl-type accident couldn't happen here. The Safe Energy Communications Council (1609 Connecticut Ave. NW, Washington, DC 20009, [202] 483-8491) promptly took their list of factual errors in the ads to the networks; ABC withdrew the ads, and other networks may follow. Other organizations have had luck placing controversial ads on the airwaves by going to the locals. IMPACT, a national coalition of mainline churches, placed ads opposing *contra* aid on radio and TV in April and again in June by going directly to the stations in scores of broadcast markets; local churches raised the money and placed the ads. And People for the American Way (PFAW) (1424 16th St. NW, Washington, DC 20036, [202] 462-4777) succeeded in placing radio ads—also by going station-to-station rather than to the networks—urging listeners to write legislators opposing the nomination of Daniel Manion, a former Indiana congressman lacking court experience for an appeals court appointment. PFAW also is distributing TV ads opposing the presidential bid of Pat Robertson. But these ads would be run free by stations carrying the fundamentalist activist's *700 Club*. PFAW argues that the Fairness Doctrine—mandating that broadcasters present a balanced view of controversial issues—applies to Robertson's meld of politics and religion.

## Movie-Made America

The more politics is shaped by public relations logic (and just check out the orchestration of the president's press conferences, or the new dress code in the televised Senate, if *Liberty Weekend* didn't do it), the more cozy the bedfellowship between politics and entertainment. The merger continues this summer on screen as *Top Gun* breaks box office records non-stop. The action film is a virtual advertisement for the Navy, which gave the film its full cooperation (not having missed the emphatic boost given enlistment by *An Officer and a Gentleman*). The Navy has enthusiastically signed on to do it again with Paramount's fall release of *The Hunt for Red October*, a submarine-based military adventure. Meanwhile, the Reagan administration, so generously stocked at the outset with entertainment figures, is beginning to feed recruits back to the entertainment world from politics. The Federal Communications Commissioner's speeches—one classic unregulatory epic was called "Back to the Future"—may suffer from the departure of a staffer aching for a comic career. And ex-presidential assistant Morgan Mason (son of actor James) is scriptwriter for a comedy about White House public relations.

## Nobody Said the Free Market Was Cheap

Ever since the FCC took the lid off trading in broadcast media properties, media mergers and fast trades (the buying and selling of KTLA-TV in Los Angeles netted its temporary owners \$250 million) have scandalized those old-fashioned types who believe that information is not just another widget to be bought and sold (see "Media Beat," *In These Times*, April 30). Now Rep. Al Swift, at the urging of FCC Commissioner James Quello, has introduced a bill to reinstate the rule requiring new owners of broadcast stations to hold them for three years before selling them again. Industry hollers that there's no evidence that quick profits and high-priced trading impairs the quality of the business, but CBS Broadcast President Gene Jankowski cautions, "The report card really is not in yet." But for CBS, which bought itself out of a buyout, the report card is getting filled in pretty quickly. The network has cut back hundreds of jobs in its broadcast group, following in the footsteps of ABC, which had been bought by Capital Cities. And here comes NBC, which claims it lost \$50 million in its news division last year and is cutting corners (a decision that cut the innovative Linda Ellerbee right out, when her contract was sliced in half). Perhaps more influential than cost-cutting at NBC—whose merger with military-industrial behemoth (and Reagan's former employer) General Electric has been approved—is the widely-believed rumor that when program chief Grant Tinker leaves, a GE executive—not a broadcast-trained administrator—will take his place. So much for editorial distance; will NBC be proud as a peacock of our military budget?

—Pat Aufderheide

## POLITICAL THEATER

# Updating Ajax, redlining Orwell

By Joel Schechter

AUDIENCES IN WASHINGTON seeing Peter Sellars' version of the Sophoclean tragedy *Ajax* at the Kennedy Center in June might have thought they wandered into the Pentagon—only a few minutes away—by mistake.

Instead of Homeric warriors with spears and shields, the adaptation devised by Sellars and playwright Robert Auletta for the American National Theater featured a chorus of U.S. Army soldiers dressed in battle fatigues. Standing in front of a full-size replicated section of Pentagon glass and concrete, the chorus chanted variations on ancient laments. Marine military cadences gave way to an occasional blues sung by a black GI as the death of the general Ajax was recounted.

In another city, with a less inventive director, the transposition might have been dismissed as glib. But Sellars' visually startling, operatic production resonates with voices both ancient and contemporary. It is impossible to forget the dangers of Reagan-era militarism while seeing the play, but the legend on stage also evokes other, nearly forgotten disasters of war. The production's conflation of ancient and recent events is most visibly evident in Ben Halley Jr.'s marvelous appearance as a black angel, wearing huge white feather wings and a U.S. Army uniform; this messenger from Olympus or the Pentagon (or both) sings a riff about laying down his sword by the riverside, then holds his sword out so that Ajax can fall upon it to his death. It is a fall across the ages, somewhere between Troy and the Honduran side of Nicaragua.

Sophocles set his play in the final year of the Trojan War, a time when Ajax goes mad and sets out to kill other generals after he is denied the prize of some armor. Misled by the goddess Athena, the warrior mistakes livestock for his enemies. After Ajax slaughters the animals, he kills himself rather than live with the shame of his needless bloodshed. Presumably, if he had murdered soldiers instead of livestock, Ajax would have stayed alive and gone back to war. The bloodshed and senselessness of such valor become evident early in Sellars' staging.

The play opens with Ajax inside a glass booth filled with blood. He is an Eichmann drowning in his own crimes. In some brilliant casting, Sellars chose National Theater of the Deaf actor Howie Seago to portray Ajax. In sign language Seago signals his desperation with precision and force. At the same time he remains isolated, and the exact meaning of his gestures is unknown to most who witness them. Words written for Ajax are

spoken for him by other cast members, further suggesting the distance between the general's language and his agony. Deprived of words, his alienation becomes all the more apparent, as interrogators and his wife speak to him, but cannot converse with him.

The text of Auletta's adaptation is occasionally flat and overly colloquial ("So do me the greatest favor... Open fire"), but it pulses with flashes of topical humor ("People deserve better of their generals, even if it's only on TV") and some forceful choral hymns. After Ajax kills himself on a beach, the set ingeniously designed by George Tsypin opens up, and a stream of red water flows out from under the Pentagon, gently washing the suicide's body while survivors debate whether the corpse merits burial in Arlington National Cemetery, across the bridge from the Kennedy Center. Sellars' intimation of a river of blood beneath the Pentagon is one of several immensely provocative visual images that jar, like surreal political poetry—closer to Bly and Neruda than Sophocles, perhaps, but wonderful nonetheless.

The multi-racial cast excels in its ensemble work. These soldiers and the rest of the company deserve as much support as the Pentagon's finest troops. (The National Endowment for the Arts should award the American National Theater at least enough money to purchase a B-1 bomber for its next production.)

## The singing pigs

Politics and art mingled in nearby Baltimore last month as well. The Reagan administration is known for its leader's experience as an actor, but it rarely intervenes in professional theater as directly as the United States Information Agency (USIA) did last June 6 when it withdrew \$45,000 of funding it had promised a theater festival in Baltimore. After Soviet objections to an adaptation of George Orwell's *Animal Farm* led the Theater of Nations to remove the play from its festival, USIA responded by terminating a grant that was supposed to pay expenses of foreign guests at the festival.

In Baltimore, charges that *Animal Farm* was censored were denied by Wole Soyinka, president of the International Theater Institute (ITI), which sponsored the international gathering. At a press conference Soyinka said that he was asked by the Soviet delegation of ITI not to invite *Animal Farm* to the festival because the play was anti-Soviet. He saw the play in London, where it was originally directed by Peter Hall for the National Theater, and decided that ITI's charter calling for mutual respect among member nations required exclusion of *Animal Farm* from the Theater of Nations. Soy-



inka agreed with Russian objections to the parable about farmyard animals in revolt, and he cited the production's visual reference to the Soviet flag in the play as a specific instance of disrespect. In fact, a green (not red) flag bearing some resemblance to that of the USSR is raised by the farm animals after their revolution, but none of the tyrannic pigs who take over Manor Farm looks much like Stalin, Trotsky or any other Russian.

*Animal Farm* opened in Baltimore despite the controversy. It was hardly banned: although ITI

By Pat Aufderheide

LEGAL EAGLES IS VIRTUALLY the only haven for an adult looking for an American movie this summer. Between options like *Ferris Bueller's Day Off*, *Back to School* and *Club Paradise*, it seems like everyone who isn't actually an adolescent is playing at being one. Even moral uplift tonics like *Karate Kid II* and *American Anthem* don't boost you past, say, high school.

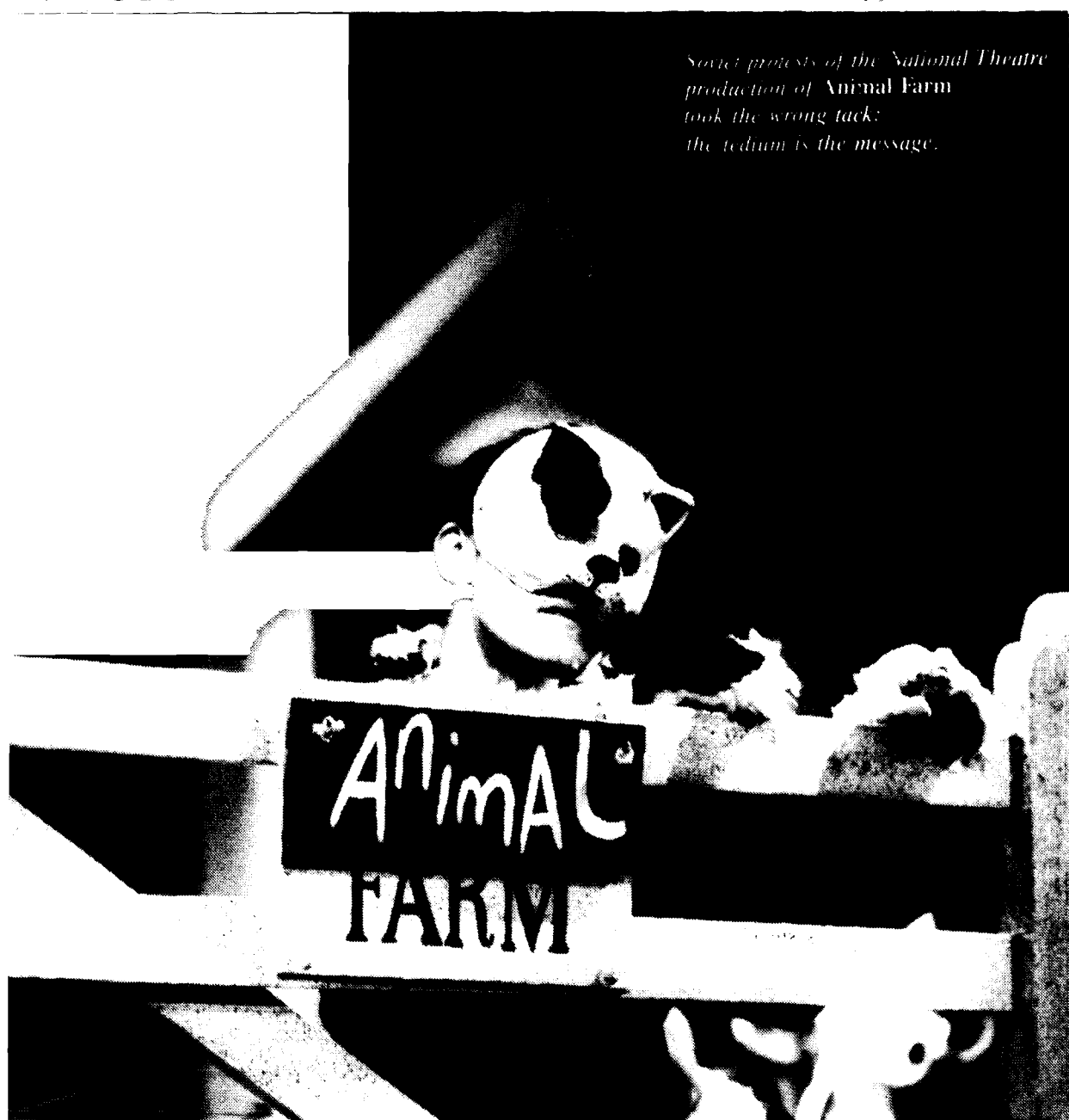
So *Legal Eagles* looks promising. It's got great acting, expensive and eye-catching production design, clever urban ironies and some spectacular explosions.

What more could you ask from a piece of light entertainment? Well, you used to be able to ask for drama—a story built on emerging, clashing and transforming relationships. What *Legal Eagles* offers with panache and without apology is the sight of three obsessives caught in the spokes of social pathology.

There's no lack of action in the film—it's got plotting all the way



# ART «» ENTERTAINMENT



*Soviet protests of the National Theatre production of Animal Farm took the wrong tack: the tedium is the message.*

removed its name as a sponsor of the National Theatre production, the play could be seen by anyone who could afford a ticket. (Opening night tickets cost \$100 and \$50 in a benefit to defray the cost of expensive plays like *Animal Farm*.)

The production was exceedingly tedious, partly because it was so removed from reference to recent political events. It relied on drab animal costumes and trite song lyrics for most of its effects; a simple reading aloud of Orwell's novel might have challenged audi-

ence imagination more than Sir Peter Hall's rendering.

Had the Soviet delegation objected to the play on the grounds that it was boring, they would have won greater support. As it was, ITI's judgment of the play became the major topic of conversation at the festival, and allowed USIA to prove to the Russians that they could not be outdone in state control over art. If the Soviets wanted no one to see *Animal Farm*, USIA would have no one see the rest of the festival—or at least withdraw funding for the expenses of foreign guests.

The most amusing—and saddest—commentary on the *Animal Farm* dispute came from *Baltimore Sun* columnist Roger Simon. In his column, Simon said that "we" should have told the Russian ITI delegation: "This is America... a free country.... If that is not acceptable to your masters in Moscow, you can move the festival elsewhere. Chernobyl might be nice." George Orwell himself could hardly have invented better satire.

**Joel Schechter** is the author of *Durov's Pig* and he teaches at the Yale School of Drama.

## MOVIES

### Preying on adult obsessions



**Debra Winger**

to the bank and back. Robert Redford as haplessly clumsy but well-intentioned assistant D.A. Tom Logan and Debra Winger as gutsy, impetuous attorney Laura Kelly get yoked together in a case that throws them into the highest levels of the New York art world and into the thickets of big-time crime.



**Robert Redford**

Waif-like performance artist Chelsea (Daryl Hannah, recapping her performance as the android in *Blade Runner*) is accused of stealing a painting given her by her artist father, who may have been murdered by the people accusing her of the theft. On the way to finding the real bad guys, several



**Daryl Hannah**

New York locations are demolished, Logan loses his job, Kelly loses her heart, the two find a way to merge love and work and Logan regains a relationship with his hipper-than-dad daughter (Jennie Dundas).

Following the plot twists leaves you more enervated than diverted.

It's hard work just figuring out what's going on, and whether it matters that it doesn't make sense. Harder still is caring much about whether the movie's inhabitants will jump through all the right hoops by movie's end.

The characters are drawn with sitcom crudity (by writers Jim Cash and Jack Epps from a story they dreamed up with director Ivan Reitman, himself producer of *National Lampoon's Animal House* and director of *Ghostbusters*), as if we were going to forget their identifying tics and props between scenes. The lawyers are different yuppie models of the loner workaholic.

Logan's the straight man, who plays by rules everyone else—from his boss to his wife—seems to have forgotten. He's endearingly out of it; we can tell by his klutzy stumbling and by the sincerely representative art (lithograph of a sailboat) on his apartment walls. Kelly's a new-age hustler, desperately pulling strings that don't seem to be attached to anything in order to save undeserving clients. All flash and image, she wildly invents legal precedents and stages outrageous courtroom scenes. She's driven, but classy; the proof is there in her angular energy, the kind of food and liquor she imbibes during a bulimic episode, her art savvy (Roy Lichtenstein and Julian Schnabel paintings in her office, which we are asked to believe is that of a fledgling lawyer).

They don't fit in anywhere, but their client, the deranged Chelsea, does. She is located in a perfectly paranoid universe—one that is also the film's ultimate reality, where the secrets of crime mesh with the secret logic of the high art's symbolic values. Chelsea's haunted craft matches her ominously cracked loft and the performance piece she inflicts on the baffled Logan—staged with a flair music video producers could envy.

Lurking in the background of this urban nightmare is an open era of optimism, community and creativity, shown in the credit sequence when we travel back to Chelsea's childhood among hippie artists in an abandoned loft. Logan's grimy bureaucracy, Kelly's surface professionalism, Chelsea's private madness and the mobsters' conspiracy all devolve from that period of deluded innocence.

#### Hired guns, art stars

Reitman describes this set of interlocking alienations as "sophisticated": "I thought lawyers would make good protagonists, because they are the hired guns of our time," he has said. "The art world struck me as a particularly interesting setting. The 'art phenomenon' has made stars out of artists, and art has become part of fashion, dance clubs and music."

It's a tall order to make romantic comedy work in an environment like this. Winger and Redford bring their star personas to the task, though. Redford's disarming smile and the reassuring twinkle, which usually take the zip out of his sex-appeal, here work for a character too good for his own good; we've been waiting a long time for the pratfalls he takes. He's finally struck a balance as a grown-up sex object—John Travolta with-

*Legal Eagles is a well-acted, but hollow, tale of adults caught in the spokes of social pathology.*

out the neurosis, Alan Alda without the snuffles. And Winger matches sex appeal with adult assertiveness, something hard to find in a Molly Ringwald movie world.

But their love affair, the only living spark in this arson-obsessed movie, is overshadowed with a wistful air. There they are, two grownups in search of a context to be grown up in, surrounded by corruption and crazies and not even quite aware of their plight. They sometimes look like they'd like to go back to Hepburn-Tracy comedy, or move over to a Hitchcock movie, or just settle down in some Frank Capra home town. And if they wouldn't, maybe we would.

The script archly updates and switches terms of Hollywood's hoary sex-role conventions, without destabilizing them in the least. He's the "feminine" one—disorganized, emotionally responsive, morally concerned. She's "masculine"—a stern business operator, a domestic disaster but daring in adventure. Of course, some things don't change. In the crucial courtroom scene, Winger always gets shut down, and the camera regularly gives her the reaction shots to Redford's exposition.

You can also tell this is a thoroughly modern old-fashioned comedy by looking at Logan's relationship with his adolescent daughter. True to '80s TV conventions, the kid is father to the man; she sniffs the emotional atmosphere before he does, and she plays family politics better than he can. But here too some things do not change. In a *Kramer vs. Kramer*-type twist, the dad-kid relationship is threatened by the mostly-off-screen mother. Once again not only does father know best, but he's even pretty good at being mom if she'd just get out of the way.

*Legal Eagles* has been billed as Ivan Reitman's rite of passage out of teenage entertainment, although some might say he hasn't gotten that far yet. But his mastery of boys' culture—*Meatballs*, *Stripes*, *Ghostbusters*—is, in the parlance of the day, awesome. He's made a reputation and more money than is decent to mention in public out of prepubescent humor: farts, foodfights, fast getaways and big big blowups. His heroes have been anarchists without a cause.

With *Legal Eagles*, you can see why Ivan Reitman has postponed growing up for so long. There's nothing much out there for a grownup in this version of movie-made America. Happy as we may be that Logan and Kelly have found each other, we suspect that Chelsea's madness may be a more appropriate response to "sophistication" as a way of life.

©Pat Aufderheide



# Sodomy

Continued from page 13

and, moreover, he was a member of the extended plantation family, and the accepted view was that family business was not the law's business. The family as safe haven was the place for private interactions, and interference by the state was deemed undesirable and destructive. And since the plantation was his larger castle, the slaveholder was considered to be legally entitled to maximum privacy in the governance of the social and economic lives of his slaves.

Thus, the economic oppression at the core of the relationship between master and slave was encircled by the master's paternalistic, patriarchal domination, which was, in turn, shielded from scrutiny by the privacy compelled by the relationship's "domestic" nature.

Although he did not hold a property interest in his wife and children as he did in his slaves, the 19th-century patriarch's domination of his nuclear family included sexual and reproductive control. Justice Bradley reflected the conventional wisdom when he declared in 1873 that a woman could legally be denied the right to become a lawyer since her proper role was to fill "the noble and benign offices of wife and mother." Again, the household head claimed a right of personal privacy on these matters. In 1836 the Mississippi legislature

considered a resolution that declared: "We [male slaveholders] hold discussion upon the subject [of slavery] as equally impertinent with discussion upon our relations, wives and children."

Only after decades of struggle did the Supreme Court's decision establishing a woman's right to abortion in *Roe vs. Wade* begin to reverse this legal inheritance. As narrowly reaffirmed earlier this spring in the case of *Thornburgh vs. American College of Obstetricians and Gynecologists*, *Roe* stands for the proposition that women exist as autonomous human beings with a right to private choice. But *Roe vs. Wade* and related decisions did not wholeheartedly embrace the idea that privacy should be grounded in personal empowerment, rather than remain defined by the traditional heterosexual preference for the family. By granting her reproductive control, *Roe* did, in effect, expand woman's potential economic viability, but the decision was more a safety net for the erring married woman than an endorsement of the right to be sexual or the right to full procreative freedom.

## Adding insult to injury

This limitation of *Roe vs. Wade* became clear in the abortion funding cases, in which the court denied the *Roe* right to choose to poor women dependent upon Medicaid. The social right of privacy is embedded in a hostile economic game-plan. Many of the women who are penalized by laws cutting off medical benefits for abortion are minor-

ity women raising families outside of marriage. The effect then of the funding cuts is to punish them for seeking both sexual autonomy and an economic life on their own. In this way, the abortion funding case serves to reinforce the notion that procreative freedom is a privacy right for married heterosexuals.

These women are despised and resented because they add insult to injury by seeking public assistance for the consequences of their sexual expression outside of marriage. Why should the public pay for private mistakes, the argument goes. And here the right to family privacy—the right "to be left alone"—strikes a different theme in the neoconservative's rhetoric: as private economic entities, individuals, as well as families, should provide for their own needs and should not be permitted to rely on government assistance. As with slavery, the idea of the family threshold as a bar to government merely makes inequity and exploitation.

Justice Byron White, who authored a particularly contentious dissent in this term's abortion case, *Thornburgh*, as well as the majority opinion in *Bowers vs. Hardwick*, does not even recognize a fundamental right of married, financially independent women to choose abortion. In his view, the right to abort, like the right to be a practicing homosexual, is not a fundamentally private one because neither the Constitution nor history is on its side.

As the first successful endorsement of this theory of the privacy right since *Roe*,

*Hardwick* goes far beyond its legal parameters, threatening the law of individual privacy in other areas. Unfortunately, this threat will persist until the right to Justice Bradley's "privacies of life" is analytically yanked from its economic base in the traditional family.

Margaret A. Burnham is a fellow at the Bunting Institute at Radcliffe College and teaches law at Northeastern Law School.

# Action

Continued from page 13

to reduce the work force for economic reasons.

In a second opinion, *Local 28 of the Sheetmetal Workers vs. EEOC*, six justices reaffirmed the authority of federal courts to "order race-conscious relief to minority individuals not directly harmed by discrimination." A New York federal court had ordered the city's local sheetmetal workers union to set a percentage hiring goal for black and Latino workers after decades of administrative and legal actions attempting to integrate the local.

The decision was based on Title VII of the 1964 Civil Rights Act. After a long review of the legislative history of Title VII, the high court approved race-conscious measures when an employer engaged in "persistent or egregious discrimination" or when such action was needed to remove the "lingering effects of pervasive discrimination." The majority set two conditions for affirmative action measures: they must be necessary to remedy past discrimination and the means must fit the nature of the violation.

In the final affirmative action case, *International Firefighters Association vs. Cleveland*, the court dealt with a narrow legal issue with wider social consequences. Firefighters and the city of Cleveland had agreed on a broad affirmative action program. Later it was adopted as part of a judge's final court order. The suit had questioned whether in these circumstances the plan remained valid under Title VII, but the Supreme Court ruled that it did. Effectively the court's decision reinforced the right of private parties to adopt race-conscious relief for individuals who were not personally victims of discrimination under the provisions of Title VII.

Claiming that the Constitution required the government to be "color blind" under all circumstances, Meese and the Reagan administration had attempted to undermine affirmative action under the guise of being opposed to racism. But the Supreme Court clearly rejected that argument and reaffirmed the use of affirmative action as a remedy for past and present effects of racial or sexual discrimination under the authority of both the 14th Amendment's clause guaranteeing equal protection under the law and Title VII of the Civil Rights Act. Properly circumscribed race-conscious or gender-conscious measures to help individuals, even if they are not personally victims of discrimination, the court concluded, remain legal methods to combat racism and sexism.

John Brittain is professor of law at the University of Connecticut School of Law, vice president of the National Lawyers Guild and a board member of the National Conference of Black Lawyers.

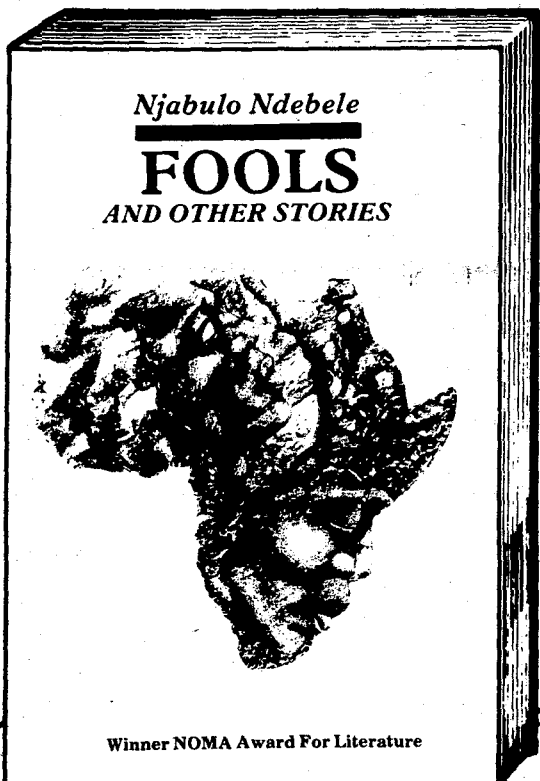
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# NewsBase

Continued from page 24

called NewsBase could instantly make comments, leave messages and participate in all ongoing dialogues. "I will delete all messages which I consider racist, sexist, homophobic or intolerant," declared Gaikowski in a statement of justification for controlling access to NewsBase, which he considers an "electronic extension" of his living room.

Gaikowski may be getting the wrong kind of help, he fears, from legislation introduced by Sen. Paul Trible (R-VA), holding individual system operators accountable for computer transmission of obscene material. Chip Berlet of the National Lawyers Guild, with Gaikowski, believes such a law could use pornography fears to limit free speech in the computer age.

## Networking the future

Electronic telecommunication is "still an infant medium, and how it evolves is up for grabs," says Gaikowski. According to Rob Fasano, organizer of a recent confer-

ence entitled "Computers and Community Organizing: New Tools for Social Change," the technology is increasingly being used for grassroots organizing. The New York Clinton Housing Inventory Project, which has developed software to assist tenants in fighting gentrification in their neighborhood, is only one example. Greenpeace already has in place an international network for its members, and such services as the Berkeley-based Peacenet and Akwesasne Notes' International Indigenous People's Network make computers into information exchange sites as well. Computer Professionals for Social Responsibility has conducted well-attended workshops around the country on home computing and the role of computers in education and peace work.

NewsBase is already growing, with a sister board opening up in Chicago. Gaikowski plans to expand the original board's capacity to be able to receive five callers at once—enabling NewsBase to receive far beyond the 25,000 calls it has registered since its inception two years ago.

**Connie Blitt and Dennis Bernstein regularly report for *In These Times*. To call NewsBase via modem, dial 415-824-8767 or 312-436-3062.**

## CALENDAR

Use the Calendar to announce conferences, lectures, films, events, etc. The cost is **\$20.00 for one insertion, \$30.00 for two insertions and \$15.00 for each additional insert**, for copy of 50 words or less (additional words are 50¢ each). Payment must accompany your announcement, and should be sent to the attention of **ITT Calendar**.

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#### July 24 & 27

**A Matter of Struggle**, new feature documentary starring Richie Havens, directed by Joan Harvey, has Chicago premiere at Film Center, School of the Art Institute, Columbus Drive at Jackson Blvd. **Struggle** takes Havens and two children into communities across the country to talk with Americans protesting Reagan's policies. Thurs.: 6:00, 8:00 p.m.; Sun.: 4:00, 6:00 p.m. Call 443-3733 for information.

#### July 25-27

The Annual Midwest Academy Retreat—This 12-year-old gathering has become one of the most significant conferences of progressives in the country. Workshops will be on environmental issues, energy, labor, foreign policy,

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### INDIANA, PA

#### October 23-25

Education and Ideology Symposium; "American Dreams: The National Debate about the Future of Education" Conservatives, liberals and radicals debate the relationship of American education to American democracy. Featured Debaters: Phyllis Schlafly vs. Eleanor Smeal; Chester Finn vs. Mary Hatwood Futrell vs. Stanley Aronowitz; Russell Kirk vs. Herbert Gintis and Kevin Ryan vs. Henry Giroux. Special Events: The San Francisco Mime Troupe performs "The Mozamgola Caper"; Abbie Hoffman on Activism. For information: American Dreams Symposium, School of Continuing Education, IUP, Indiana, PA 15705; (412) 357-2227.

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signed on the service.

I have found out where you live. My police friends



Jeanne Hansen

### By Connie Blitt & Dennis Bernstein

**E**COLOGY ACTIVISTS IN SALINAS were in a bind. They had lobbied the Monterey Board of Supervisors to ban the release of genetically engineered ice-minus into the atmosphere. If it were used on strawberry fields it would protect the crop from the frost, but might also prevent frost from forming on wild plants.

Members of the European Parliament had drafted a statement opposing the potentially risky experiment. But it appeared the Europeans' statement would not reach Salinas in time.

German Green Party member Bennie Harlen, who had been in the U.S. investigating possibilities for an international computer network, remembered NewsBase, a San Francisco-based electronic bulletin board. The Europeans uploaded their statement onto NewsBase by calling the board with their computer over telephone lines. The ecologists in Salinas "captured" the document and printed it out moments before the crucial hearings were to commence.

The chairman of the Monterey supervisors later told *Business Week* that an important item in their decision to ban the release of ice-minus in their country had been the international opposition, including a statement by 33 European Parliamentarians.

Richard Gaikowski, NewsBase's founder and dedicate SYSOP (system operator), is pleased that his own "electronic soap box" was able to provide that vital link. "Communication by computer is an excellent way for those who have special information to share it with a wider audience," Gaikowski told *In These Times* during an electronic interview over NewsBase. "Local alternative newspapers could have a ready source of articles."

### Not just a passive consumer

In his converted storefront apartment in San Francisco's Mission district, the SYSOP will pull out his collection of yellowing clippings tracing the escapades of his early journalistic career. As a reporter for the *Albany Knickerbocker News*, Gaikowski went to great lengths to get himself arrested so he could write about jail conditions from the inside.

Although he could have become a mainstream newspaper editor, Gaikowski went in another direction. He moved to Haight-Ashbury in 1969 where he edited a weekly underground paper, the *San Francisco Good Times*, and experimented with film and video, always creating networks for distributing other people's work while producing his own.

In 1982 Gaikowski acquired a computer in order to keep track of his film and video

You are

your fellow

who

distribution company. He soon learned that computer "hackers" were avidly exchanging information by connecting their computers through the telephone lines to a central computer, which served as an electronic bulletin board. "I wanted to see if the technology could be used in a more vital way," Gaikowski says. Since then, thousands of noncommercial computer bulletin boards have sprung up all over the country, among them NewsBase. But few have its mix of information.

Available on NewsBase are first-hand reports from leftist journalists and activists who have just returned from Guatemala, Nicaragua, Cuba and the Middle East. Notices of housing demonstrations and U.S. Greet Party meetings are posted, and free-form discussions rage on, with messages back and forth on censorship and pornography, Lyndon LaRouche or baseball. Even poetry thrives on NewsBase.

"A reader can accept or reject a newspaper, but at most the biggest input she can have is writing a letter to the editor," comments Gaikowski. "Bulletin boards demand interaction."

And readers do "interact." For instance, "Robot Wars," in which Ann Garrison described a new breed of tanks with artificial intelligence sparked a debate following the article on why advanced technology is so often put to a military use.

### Electronic Nazis

Perhaps one indication of the success of NewsBase is the attention it has attracted from the media, including electronic white supremacists who discovered NewsBase this spring.

Gaikowski knew something was up when the following message was left on one of NewsBase's public message boards by someone who signed on as "Dick Guycowski": "The people of earth must wonder about the feasibility of nuclear energy," read the electronic message. "This is the legacy we leave for our children. But maybe this is the only way we have to cleanse this earth of all the scum, the faggots, commie, pinko liberals who pollute our culture with their slimy creeper ideology" [sic]. The electronic onslaught grew gradually personal, with attacks on individual NewsBase contributors.

The warnings escalated to physical threats with the following message from "Jo Mama" to another NewsBase regular Steve Soderby. "I have found out where you live. My police friends were able to track you down. Be careful what you do and where you go."

NewsBase's founder then became the butt of the attack. "Real Americans are taking back this country from you faggot, pussy-whipped nigger-loving queers," declared "Whiteman." "This bulletin board has got to go and WE WILL CLOSE IT DOWN. The bill of rights will not protect you."

Gaikowski finally decided to limit his "open door policy" whereby anyone who

Continued on page 23

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